

RESOLUTION NO. R-140-2002

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. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE); 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 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. 1499 – Alexander Road (US-95 to Rancho Drive) 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. 1499 – Alexander Road (US-95 to Rancho Drive) and only the property which is so specially benefited, is included in the District; and

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

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

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

Section 1. The special improvement district shall be designated "City of Las Vegas, Nevada, Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1499 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 \$74,652.28, including engineering, legal, and incidental expenses, as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the City Clerk at 400 Stewart Avenue, Las Vegas, Nevada 89101.

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

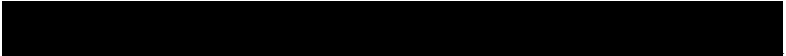
1. The public convenience and necessity requires the creation of the District and construction of the Project;
2. The creation of the District is economically sound and feasible; and
3. The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is made.

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

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 74,652.28	\$ 2,944,385.72	\$ 3,019,038.00

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

Section 7. On Wednesday, January 22, 2003, 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. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") and to all interested persons that:

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

ALEXANDER ROAD (SOUTH SIDE) - from the centerline of Rancho Drive west along Alexander Road approximately 692-feet (100-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Alexander Road will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, a two-way center left turn lane with raised medians at the signalized or future signalized intersections, "L" type curb and gutter, sidewalks, commercial or residential driveway approach and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to November 29, 2002) water and sewer laterals will be installed from the existing or proposed main lines in Alexander 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:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 74,652.28	\$ 2,944,385.72	\$ 3,019,038.00

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). 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. Each property owner will be assessed for the cost of an 8-foot wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

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

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots,

tracts and parcels of land to be assessed, 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, January 22, 2003, 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, January 17, 2003. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of

competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

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

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

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

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

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

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the

estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments which will include both principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties 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

Friday, January 17, 2003, 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 December 18, 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. 1499 – Alexander Road (US-95 to Rancho Drive) 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.

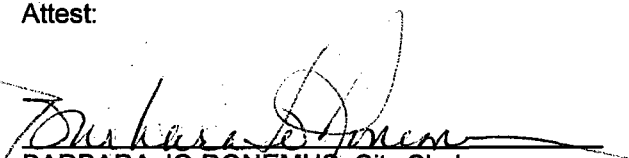
Section 12. That the City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

PASSED, ADOPTED AND APPROVED this 18th day of December, 2002.



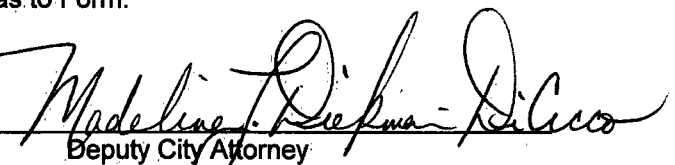
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to Form:

12-5-02
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 December 18, 2002.

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

Those Voting Aye:	Oscar B. Goodman Gary Reese Michael J. McDonald Larry Brown Lynette Boggs McDonald Lawrence Weekly Michael Mack
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Those Voting Nay:	NONE
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Those Absent:	NONE
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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 December 18, 2002,
is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this December 18, 2002.

(SEAL)

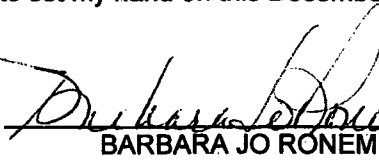

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

DECEMBER 18, 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.

**THE CITY COUNCIL MEETING NORMALLY SCHEDULED FOR
JANUARY 2, 2003 HAS BEEN RESCHEDULED TO JANUARY 8, 2003
AND THE MEETING SCHEDULED FOR JANUARY 15, 2003 HAS BEEN
RESCHEDULED TO JANUARY 22, 2003**

DECEMBER 18, 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 - REVEREND DAVID DEVINE, FIRST UNITED METHODIST CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF EMPLOYEE OF THE MONTH
- RECOGNITION OF THE WEST LAS VEGAS FOOTBALL LEAGUE CHAMPIONS
- SPECIAL RECOGNITION OF SHERIFF JERRY KELLER

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 November 20, 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.

ADMINISTRATIVE - CONSENT

3. Approval of the waiver of City clean up, staging equipment and staff costs for the January 11, 2003, Dr. Martin Luther King, Jr. Day parade (not to exceed \$8,873 - Special Revenue Fund) - Wards 1 and 5 (M. McDonald and Weekly)

FIELD OPERATIONS DEPARTMENT - CONSENT

4. Approval of an Interlocal Agreement with the Regional Transportation Commission of Southern Nevada (RTC) for the operation and maintenance of the Downtown Transportation Center whereby the City receives up to \$900,000 annually (RTC) - Wards 1, 3 and 5 (M. McDonald, Reese and Weekly)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
6. Approval to transfer funding from the Ed Fountain Park project to the Doolittle Community Center project, and authorize Purchasing and Contracts to increase the related construction contract conflicts and contingency reserve, to cover unanticipated site preparation costs and higher than anticipated construction costs (\$300,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Weekly)
7. Approval of a new Family Home Child Care License, Gloria R. Lopez, 4025 Lighthouse Ave., Gloria R. Lopez, 100% - Ward 3 (Reese)
8. Approval of a Change of Name and Licensee/License Holder for a Child Care Center/Preschool License, From: A Small Wonder, To: A Small Wonder, Inc., 5100 Alta Drive, From: Jorge Soto, Licensee, License Holder, 100%, To: Valerie D. Phillips, Licensee, License Holder, Pres, 50%, Trude B. Johnson, Licensee, License Holder, Secy, 50% - Ward 1 (M. McDonald)
9. Approval of License Holder for a Child Care Center Preschool License, Griffith United Methodist Preschool, 1701 East Oakey Blvd., Michael W. Higgs, Licensee, Pastor - Ward 3 (Reese)
10. Approval of a Special Event Liquor License for Nancy Moreno, Location: East Las Vegas Community Center, 250 North Eastern Ave., Date: January 4, 2003, Type: Special Event General, Event: Wedding and Reception, Responsible Person in Charge, Nancy Moreno - Ward 3 (Reese)
11. Approval of a Special Event Liquor License for Trader Joe's, Location: 2101 South Decatur Blvd., Suite 25, Date: December 19-24, 2002, Type: Special Event Beer/Wine/Cooler, Event: Wine Tasting, Responsible Person in Charge: Marc Torrez - Ward 1 (M. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

12. Approval of a new Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, Kowloon, LLC, dba Kowloon Cuisine, 1750 North Buffalo Drive, Suite 7, Yuk S. Wong, Mgr, 60%, Xiao-Yun Zhu, Mgr, 40% - Ward 4 (Brown)
13. Approval of Change of Ownership and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Paragon of Nevada, Inc., dba Hungry Hunter (non-operational), Michael F. Maloney, Dir, Pres, Christopher W. Miles, Secy, To: Bowin Associates, LLC, dba Buffet at Asia, 2380 South Rainbow Blvd., En Hua Chen, Mgr, Mmbr, 51%, Stephanie D. Chen, Mgr, Mmbr, 49% - Ward 1 (M. McDonald)
14. Approval of Change of Business Name for a Beer/Wine/Cooler On-sale Liquor License subject to Health Dept. regulations, Delian Lamela, dba From: Cuba Café, To: Guatemala Restaurant, 552 North Eastern Ave., Suite A, Delia A. Lamela and Osmel R. Lamela, 100% jointly as husband and wife - Ward 3 (Reese)
15. Approval of Change of Location for a Nonprofit Club General Liquor License subject to the provisions of the planning and fire codes, I.B.P.O. Elks Tommy J. Stanton Lodge #1735, dba I.B.P.O. Elks Tommy J. Stanton Lodge #1735, From: 1401 North Decatur Blvd., Suites 23-26, To: 2360 North Martin L. King Blvd., Suite 100, Roy A. Johnson, Secy, Liquor Mgr - Ward 5 (Weekly)
16. Approval of Franchise Manager for a Beer/Wine/Cooler Off-sale Liquor License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #21478D, 200 West Boston Ave., Iqbal Hussain, Franchise Mgr - Ward 1 (M. McDonald)
17. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 7 slots, Rebel Slots, Inc., db at Rebel #82, 845 North Decatur Blvd. - Ward 1 (M. McDonald)
18. Approval of Change of Ownership and Location for a Locksmith License, From: 93 Urbana Drive, David G. Brooks, 100%, To: Green Valley Lock & Safe, Inc., dba Green Valley Lock & Safe, 80 North Pecos Road, Suite G, David G. Brooks, Dir, Pres, 50%, Richard J. Schuler, Dir, Secy, 25%, Charles L. Bell, Dir, Treas, 25% - Henderson
19. Approval of a new Martial Arts Instruction Business License, Angus & Angus, dba The School of Chinese Martial Arts, 2620 Regatta Drive, Suites 112 & 113, Arsenio L. Angus, III, and Kara A. Amalfitano Angus, 100% jointly as husband and wife - Ward 4 (Brown)
20. Approval of a new Massage Establishment License, Pamela Bowe, dba For The Greater Good, 1591 North Buffalo Drive, Suite 120, Pamela M. Bowe, 100% - Ward 2 (L.B. McDonald)
21. Approval of award of Bid Number 02.1730.23-RC, Rainbow Blvd. - Silverstream Ave. to Smoke Ranch Road (LED) and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works - Award recommended to: WELLS CARGO, INC. (\$5,394,637.75 - RTC & Capital Projects Fund) - Wards 2, 4 & 6 (L.B. McDonald, Brown & Mack)
22. Approval of award of Bid Number 02.15341.09-LED, WCS - Field Operations Center Building and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works - Award recommended to: TARGET GENERAL INC. OF NEVADA (\$4,427,000 - Enterprise Fund) - Ward 4 (Brown)
23. Approval of award of Bid Number 030170-DAR, Annual Requirements Contract for Tires and Tire Repair - Department of Field Operations - Award recommended to: TED WIENS TIRE & AUTO (Estimated annual usage amount of \$300,000 - Internal Service Fund)
24. Approval of issuance of a purchase order for printing services for the 2003 Municipal Primary and General Elections (CW) - Office of the City Clerk - Award recommended to: NEVADA COLOR LITHO (Not to exceed \$157,000 - General Fund)
25. Approval of award of Bid Number 030178-TG, Annual Requirements Contract for Intersection Illuminated Street Signs - Department of Public Works - Award recommended to: STANDARD WHOLESALE SUPPLY CO. (Estimated annual amount of \$150,000 - General Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

26. Approval of Agreement Modification No. 4 to Collection Agency Services Agreement (LR) - Municipal Court - Award recommended to: NCO FINANCIAL SYSTEMS, INC. (\$125,000 - General Fund)
27. Approval of issuance of a purchase order for five (5) 2-Wheel Drive Mini Sports Utility Vehicles under Bid Number 030027-DAR, Open End Contract for Miscellaneous Vehicles - Department of Field Operations - Award recommended to: FAIRWAY CHEVROLET (\$95,104.40 - Internal Service Fund)
28. Approval of additional funding for Service Agreement between Las Vegas Fire & Rescue and TargetSafety.com (KF) to provide health and safety training programs through the Internet - Department of Fire & Rescue - Award recommended to: TARGETSAFETY.COM (\$64,200 - General Fund)
29. Approval of Agreement Modification No. 3 to First Party Debt Receivables Management Services Agreement (LR) - Municipal Court - Award recommended to: NCO FINANCIAL SYSTEMS, INC. (\$155,000 - General Fund)
30. Approval of Agreement Modification No. 1 to Third-party Collection Agency Services Agreement (LR) - Municipal Court - Award recommended to: OSI COLLECTION SERVICES, INC. (\$30,000 - General Fund)
31. Approval of rejection of bid and award of Bid Number 030159-LED, Repair/Resurfacing of Tennis Courts at Lorenzi Park and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Leisure Services - Award recommended to: SOUTHWEST RECREATIONAL INDUSTRIES, INC. (\$38,640 - Capital Projects Fund) - Ward 5 (Weekly)
32. Preapproval of Bid Number 030195-DAR, Split-Face Block Material to the lowest responsive and responsible bidder - Department of Field Operations - (monetary range \$35,000 to \$40,000 - General Fund) - Ward 3 (Reese)
33. Approval of issuance of a purchase order for one (1) skid steer tractor under Bid Number 020057-DAR, Open End Contract for Skid Steer Tractor - Department of Field Operations - Award recommended to: BLAINE EQUIPMENT (\$34,380 - Internal Service Fund)
34. Approval of issuance of a purchase order for voting machine transportation services for the 2003 Municipal Primary and General Elections (CW) - Office of the City Clerk - Award recommended to: ALL AMERICAN VAN & STORAGE (Not to exceed \$28,725 - General Fund)
35. Approval of contract award for Applicant Management System and Test Management System software licenses (KR) - Department of Human Resources - Award recommended to: SIGMA DATA SYSTEMS, INC. (\$27,220 - City Facilities CPF)
36. Approval of award of Contract 030138 for Internet Traffic School Services (KR) - Municipal Court - Award recommended to: THE ON-LINE TRAFFIC SCHOOL, INC.

HUMAN RESOURCES DEPARTMENT - CONSENT

37. Approval of the Amendment to the Administrative Services Agreement for the Hartford Deferred Compensation Program
38. Approval of the revised Group Funding Agreement with the Hartford Life Insurance Company
39. Approval of the revised Employee Benefit Plan Document

PLANNING & DEVELOPMENT DEPARTMENT - CONSENT

40. Approval of annexation report for the proposed annexation area bounded by Grand Teton Road to the north, Hualapai Way to the east, Puli Road to the west, and Centennial Parkway and the 215 Beltway to the south (Case #A-0035-02) - Ward 6 (Mack)

PUBLIC WORKS DEPARTMENT - CONSENT

41. Approval of First Supplemental Interlocal Contract LAS.20.A.00 between the City of Las Vegas and the Clark County Regional Flood Control District for construction of the Rancho Road System Durango-US-95 Interchange (\$111,468 - Clark County Regional Flood Control District) - Ward 6 (Mack)
42. Approval of Second Supplemental Interlocal Contract #288a between the City of Las Vegas, Clark County and the Regional Transportation of Southern Nevada (RTC) to increase total project funding and reallocate funding for Buffalo Drive - Cheyenne Avenue to Lone Mountain Road (\$2,398,000 - RTC) - Ward 6 (Mack)
43. Approval of Third Supplemental Interlocal Contract #295c between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding for the construction and right-of-way acquisition for Durango El Capitan - Lone Mountain Road to US-95 (\$4,489,000 - RTC) - Ward 6 (Mack) and County
44. Approval of Interlocal Contract #417 between Clark County, the City of Henderson, the City of North Las Vegas, The City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to fund a Project to perform a Section 106 environmental study for the BLM Disposal Boundary (\$250,000 - RTC) - County
45. Approval of Interlocal Contract #419 between Clark County, the City of Las Vegas, the City of North Las Vegas, the City of Henderson and the Regional Transportation Commission of Southern Nevada (RTC) for the Offsite Improvements Adjacent to Regional Flood Control District Detention Basin Projects FY 2002-2003 (\$500,000 - RTC) - All Wards
46. Approval to file an amendment to Right-of-Way Grant No. N-73902 with the Bureau of Land Management for roadway, sewer and drainage purposes for portions of land lying within the Southeast Quarter (SE 1/4) of Section 17, Township 19 South, Range 60 East, M.D.M., generally located on the north side of Elkhorn Road, east of the El Capitan Way alignment – APN 125-17-801-001 – Ward 6 (Mack)
47. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Northwest Quarter (NW 1/4) of Section 5, Township 20 South, Range 60 East, M.D.M., for sewer purposes located on the north side of Craig Road, east of the El Capitan Way alignment (APN 138-05-203-023) – County
48. Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Northwest Quarter (NW 1/4) of Section 8, Township 20 South, Range 60 East, M.D.M., for roadway, sewer and drainage purposes located on the south side of Gilmore Avenue, west of El Capitan Way and the west side of El Capitan Way, south of Gilmore Avenue (APN 138-08-202-004) – Ward 4 (Brown)
49. Approval of an Amended Participation Agreement for the Rancho Drive Drainage Improvements to change the name of the developer from Rancho/Decatur Limited Liability Corporation to Rancho Air Center, Inc. - Ward 5 (Weekly)
50. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Lee DeArmond, owner (north of Craig Road, east of Valadez Street, APN 138-04-602-010) - County (near Ward 4-Brown)
51. Approval of an Encroachment Request from Tetra Tech, Incorporated, on behalf of KB Homes Nevada, Incorporated, owner (southwest corner of Alexander Road and Buffalo Drive) - Ward 4 (Brown)
52. Approval of an Encroachment Request from Wright Civil Engineers on behalf of D.M.S.I., LLC, and Great American Plaza, LLC, owner (northwest corner of Sahara Avenue and Tomsik Street) - Ward 1 (M. McDonald)
53. Approval of an Encroachment Request from Integrity Engineering on behalf of Clark County School Board of Trustees, owner (northwest corner of 20th Street and Wilson Avenue) - Ward 5 (Weekly)
54. Approval of an Interlocal Agreement between the City of Las Vegas, the City of Henderson and the Clark County Sanitation District allowing member agencies to provide different types of support services such as financial, legal, and human resources to the Clean Water Coalition for an interim period - All Wards

PUBLIC WORKS DEPARTMENT - CONSENT

55. Approval of Interlocal Agreement No. 108690 with the Las Vegas Valley Water District for the funding of the construction and contract administration of new water facilities that will be constructed in conjunction with the Durango Drive, Phase 3, I-215 Beltway to US-95 Project (\$70,000 - Las Vegas Valley Water District) - Ward 6 (Mack)
56. Approval of an Engineering Design Services Agreement with VTN Nevada for the preliminary design of the Horse Drive/US-95 Interchange (\$300,000 - Regional Transportation Commission) - Ward 6 (Mack)
57. Approval of an Interlocal Agreement with Clark County for Special Improvement District No. 1487 - Jones Boulevard (Centennial Parkway to Elkhorn Road) - Ward 6 (Mack)
58. Approval of Amendment to Cooperative Agreement combining the Las Vegas Area Traffic System (LVACTS) and the NDOT Freeway Management System into the Freeway Arterial System of Transportation (FAST) - All Wards

RESOLUTIONS - CONSENT

59. R-134-2002 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1487 - Jones Boulevard (Centennial Parkway to Elkhorn Road) (Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
60. R-135-2002 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1474 - Rainbow Boulevard from Silverstream Avenue to Smoke Ranch Road (\$155,713.14 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
61. R-136-2002 - Approval of a Resolution directing the City Treasurer to prepare the Third Assessment Lien Apportionment Report for Special Improvement District No. 1446 - Sawtooth Streets IV (Levy Assessments) - Ward 3 (Reese)
62. R-137-2002 - Approval of a Resolution approving the Third Assessment Lien Apportionment Report for Special Improvement District No. 1446 - Sawtooth Streets IV (Levy Assessments) - Ward 3 (Reese)
63. R-138-2002 - Approval of a Resolution directing the City Treasurer to prepare the Seventy-Second Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
64. R-139-2002 - Approval of a Resolution approving the Seventy-Second Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
65. R-140-2002 - Approval of a Resolution Making Provisional Order and Directing that Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$74,652.28 Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

REAL ESTATE COMMITTEE – CONSENT

66. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Lynn Jungers for real property known as Parcel Number 138-25-516-046 located at 4913 Westmoreland Drive Unit 1 for \$47,500 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)
67. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Mizrahi Alfonsino Raphael for real property known as Parcel Number 138-25-516-040 located at 4917 Westmoreland Drive Unit 41 for \$50,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)
68. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Mizrahi Alfonsino Raphael for real property known as Parcel Number 138-25-516-042 located at 4917 Westmoreland Drive Unit 43 for \$50,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)

REAL ESTATE COMMITTEE – CONSENT

69. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Frank Giron Torres Jr. for real property known as Parcel Number 138-25-516-001 located at 1425 Laurelhurst Drive Unit 1 for \$43,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)
70. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Letecia Mantor for real property known as Parcel Numbers 138-25-515-015 and -016 located at 1501 Laurelhurst Drive Units 15 and 16 for \$120,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)
71. Approval of an Interlocal Agreement between the City of Las Vegas and the Clark County Library District (District) to sublet seven acres of City leased land from the Bureau of Land Management (BLM) to the District as a library facility located at the northwest corner of Rome Boulevard and Buffalo Drive - Ward 6 (Mack)
72. Approval of a Memorandum of Understanding between the City of Las Vegas and the United States Small Business Administration at the Las Vegas Business Center - 1951 Stella Lake Drive (\$11,403 revenue/12 months-Las Vegas Business Center Operations Fund) - Ward 5 (Weekly)
73. Approval of a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Fairbanks Capital Corporation for real property known as Parcel Number 138-25-515-002 located at 1513 Laurelhurst Drive Unit #2 for \$55,000 plus closing costs - Special Revenue Fund - Ward 1 (M. McDonald)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

74. Report from the City Manager on emerging issues
75. Report by the United States Fish and Wildlife Service staff concerning the management of the Desert National Wildlife Range and the on-going Comprehensive Conservation Planning efforts - County
76. Discussion and possible action regarding Modification No. 1 for one-year extension of governmental affairs consulting - Administrative Services - Award recommended to LIONEL SAWYER & COLLINS (\$90,000 - General Fund)
77. Discussion and possible action concerning the payment of utility costs associated with the operation of the Northwest Leisure Services Center (\$217,733 – General Fund) – Ward 4 (Brown)
78. Discussion and possible action on ratification of the supervisory contract between the City of Las Vegas and the International Association of Firefighters (IAFF) Local 1285 (\$159,000 - General Fund & Communication Internal Service Fund (ISF)
79. Discussion and possible action on the Interlocal Agreement among Clark County, City of Henderson, City of Boulder City, and the City of North Las Vegas to provide funds for the Community Triage Center (\$432,824 – General Fund) - All Wards
80. Report and possible action regarding City codes and practices for encroachments in residential streets

CITY ATTORNEY - DISCUSSION

81. Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from November 6, 2002. Robert Barragan, 1105 Princess Katy, Las Vegas, Nevada 89109
82. Discussion and possible action on Appeal of Work Card Denial: Nikki Stoll, 2117 Sun Rose Circle, Henderson, Nevada 89074

CITY ATTORNEY - DISCUSSION

83. Discussion and possible action on Appeal of Work Card Denial: Gary Edward Williams, 2620 Yardley Street, Las Vegas, Nevada 89102
84. Discussion and possible action on Appeal of Work Card Denial: Katrina Ann Harris, 6363 Clarice Avenue, #15-136, Las Vegas, Nevada 89107

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

85. Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, Jay Po, Inc., dba Grand China III, 8450 Farm Road, Suite 150, Min J. Diep, Dir, Pres, Secy, 40%, Gai Diep, Dir, Treas, 40%, Tian Y. Kang, 20%, (NOTE: Item to be heard in the afternoon session in conjunction with Item #148 - Special Use Permit #1108) - Ward 6 (Mack)
86. Discussion and possible action regarding a new Class II Secondhand Dealer License subject to the provisions of the planning codes, Teresa T. Neeley, dba Teresa's Trash to Treasures, 1007 South Main Street, Teresa T. Neeley, 100%, (NOTE: Item to be heard in the afternoon session in conjunction with Item #149 - Special Use Permit #1126) - Ward 1 (M. McDonald)
87. Discussion and possible action regarding a new Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Jay Scott Petty, dba 7-Eleven Food Store #20687G, 1600 North Rancho Drive, Jay S. Petty, 100% - Ward 5 (Weekly)

FIRE AND RESCUE DEPARTMENT - DISCUSSION

88. Discussion and possible action regarding a professional services agreement between the City of Las Vegas and DEC, Inc. to perform structural, mechanical, electrical and plumbing engineering for the construction of Fire Station #5 located on Charleston Blvd. and Hinson Street (\$42,200 - Capital Projects Fire & Rescue) - Ward 1 (M. McDonald)
89. Discussion and possible action regarding a professional services agreement between the City of Las Vegas and Aztec Engineering Nevada LLC to perform civil engineering for the construction of Fire Station #5 located on Charleston Blvd. and Hinson Street (\$107,250 - Capital Projects Fire & Rescue) - Ward 1 (M. McDonald)

PUBLIC WORKS DEPARTMENT - DISCUSSION

90. Discussion and possible action regarding an Interlocal Contract #432 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for an indefinite period of annual maintenance for the I-15 - Sahara Interchange Landscape Maintenance (\$25,000 - RTC) - Ward 1 (M. McDonald)

RESOLUTIONS - DISCUSSION

91. ABEYANCE ITEM - R-132-2002 – Discussion and possible action on a Resolution regarding the acceptance of gifts and donations to the City

BOARDS & COMMISSIONS - DISCUSSION

92. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Thomas Pfundstein, Term Expiration 12-11-2002 (Resigned)
93. PARK & RECREATION ADVISORY COMMISSION – Walter Sapling, Term Expiration 1-8-2003

BOARDS & COMMISSIONS - DISCUSSION

94. SENIOR CITIZEN LAW PROJECT ADVISORY BOARD – Nelson Urguiola, Term Expiration 1-5-2003

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

95. Bill No. 2002-141 – Adjusts the ward boundaries of the City to reflect annexations and precinct adjustments. Proposed by: Barbara Jo Ronemus, City Clerk

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.

96. Bill No. 2002-137 – Annexation No. A-0030-02(A) – Property location: On the south side of Grand Teton Drive, 1,030 feet east of Puli Road; Petitioned by: Charles Koras and Vangel Dimanin; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
97. Bill No. 2002-138 – Annexation No. A-0036-02(A) – Property location: On the northeast corner of Craig Road and Puli Road; Petitioned by: Mr. & Mrs. Slavko Brzica; Acreage: 5.53 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown
98. Bill No. 2002-139 – Annexation No. A-0039-02 (A) – Property location: On the northeast corner of Fort Apache Road and Rome Boulevard; Petitioned by: George Lee Reynolds Estate; Acreage: 5.07 acres; Zoned: R-E (County zoning), U (M-TC) (City equivalent). Sponsored by: Councilman Michael Mack
99. Bill No. 2002-140 – Revises the licensing requirements and regulations pertaining to erotic dance establishments and entertainers who perform therein. Proposed by: Mark Vincent, Director of Finance and Business Services

NEW BILLS

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

100. Bill No. 2002-142 – Amends the zoning regulations to provide a mechanism for the approval of uses that, because of an applicant's inability to meet certain conditions, cannot be approved as a matter of right. Proposed by: Robert S. Genzer, Director of Planning and Development
101. Bill No. 2002-143 – Permits restricted gaming at supper club business establishments. Proposed by Mark Vincent, Director, Finance and Business Services
102. Bill No. 2002-144 – Revises the zoning requirements for various types of financial institutions and businesses. Sponsored by: Councilman Michael J. McDonald
103. Bill No. 2002-145 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

1:00 P.M. - AFTERNOON SESSION

104. 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

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.

105. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1036 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A RESTAURANT WITH DRIVE-THROUGH adjacent to the northwest corner of Centennial Parkway and El Capitan Way [PROPOSED: Durango Drive alignment] (APN: 125-20-402-008), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
106. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1037 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED RESTRICTED GAMING IN CONJUNCTION WITH A CONVENIENCE STORE adjacent to the northwest corner of Centennial Parkway and El Capitan Way [PROPOSED: Durango Drive alignment] (APN: 125-20-402-008), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
107. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1038 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A CONVENIENCE STORE adjacent to the northwest corner of Centennial Parkway and El Capitan Way [PROPOSED: Durango Drive alignment] (APN: 125-20-402-008), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
108. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1039 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED FUEL PUMPS IN CONJUNCTION WITH CONVENIENCE STORE adjacent to the northwest corner of Centennial Parkway and El Capitan Way [PROPOSED: Durango Drive alignment] (APN: 125-20-402-008), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
109. EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW RELATED TO EOT-1036, EOT-1037, EOT-1038 AND EOT-1039 - EOT-1028 - NEVADA ACQUISITIONS, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Site Development Plan Review WHICH ALLOWED A 8,144 SQUARE FOOT COMMERCIAL DEVELOPMENT on 2.19 acres adjacent to the northwest corner of Centennial Parkway and El Capitan Way [PROPOSED: Durango Drive alignment] (APN: 125-20-402-008), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

110. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1084 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A SUPPER CLUB adjacent to the southwest corner of the Farm Road alignment and U.S. Highway 95 (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
111. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1085 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED SUPPER CLUB approximately 800 feet south of the Farm Road alignment and 200 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
112. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1086 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED SUPPER CLUB approximately 900 feet south of the Farm Road alignment and 200 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
113. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1087 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED SUPPER CLUB approximately 200 feet south of the Farm Road alignment and 50 feet west of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
114. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1088 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A DRIVE THROUGH IN CONJUNCTION WITH A PROPOSED FAST FOOD RESTAURANT 650 feet south of the Farm Road alignment and 50 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
115. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1089 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A DRIVE THROUGH IN CONJUNCTION WITH A PROPOSED FAST FOOD RESTAURANT adjacent to the southwest corner of the Farm Road alignment and U.S. Highway 95 (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
116. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1090 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A DRIVE THROUGH IN CONJUNCTION WITH A PROPOSED FAST FOOD RESTAURANT adjacent to the southwest corner of the Farm Road alignment and U.S. Highway 95 (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
117. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1091 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A DRIVE THROUGH IN CONJUNCTION WITH A PROPOSED FAST FOOD RESTAURANT approximately 650 feet south of the Farm Road alignment and 50 feet west of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
118. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1092 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS approximately 1,100 feet south of the Farm Road alignment and 300 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

119. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1093 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED CARWASH approximately 1,100 feet south of the Farm Road alignment and 300 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
120. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1094 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE 1,100 feet south of the Farm Road alignment and 300 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
121. EXTENSION OF TIME - SPECIAL USE PERMIT - EOT-1095 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Special Use Permit WHICH ALLOWED A PROPOSED AUTO LUBE FACILITY approximately 150 feet south of the Farm Road alignment and 50 feet east of the U.S. 95 Frontage Road alignment (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
122. EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW RELATED TO EOT-1084, EOT-1085, EOT-1086, EOT-1087, EOT-1088, EOT-1089, EOT-1090, EOT-1091, EOT-1092, EOT-1093, EOT-1094 AND EOT-1095 - EOT-1083 - NORTHWEST 95, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Site Development Plan Review WHICH ALLOWED A PROPOSED 284,150 SQUARE FOOT COMMERCIAL CENTER on 41.28 acres adjacent to the southwest corner of the Farm Road alignment and U.S. Highway 95 (APN: 125-17-301-003 and 004), TC (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

123. REVIEW OF CONDITION - ROC-1073 - GEMINI, INC ON BEHALF OF AMX NEVADA, LIMITED LIABILITY COMPANY - Request for a Review of Condition #1 of an approved Review of Condition [AR-0016-90(3) and AR-0012-89(3)] which required the temporary structures on the site to be removed by October 17, 2002 on property adjacent to the northwest corner of Ogden Avenue and 4th Street (APN: 139-34-510-030), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL
124. REVIEW OF CONDITION - ROC-1347 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP ON BEHALF OF NEVADA HAND - Request for a Review of Condition #2 on an approved Variance (V-0068-02) which required 96 parking spaces be provided in conjunction with a high density senior residential housing development on 3.14 acres, located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road (APN: 140-30-802-006), R-E (Residence Estates) zone under Resolution of Intent R-PD24 (Residential Planned Development - 25 Units Per Acre), Ward 3 (Reese). Staff recommends DENIAL
125. REVIEW OF CONDITION - PUBLIC HEARING - ROC-1111 - MOUNTAIN VIEW ASSEMBLY OF GOD CHURCH - Request for a Review of Condition #11 of an approved Site Development Plan Review [Z-0079-96(1)] WHICH REQUIRED A CUL-DE-SAC RADIUS TO BE CONSTRUCTED AT THE TERMINUS OF HERFORD LANE at 3900 East Bonanza Road (APN: 140-30-401-003 and 004), R-1 (Single Family Residential) under Resolution of Intent to C-V (Civic) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
126. REVIEW OF CONDITION - PUBLIC HEARING - ROC-1118 - PERMA-BILT HOMES - Request for a Review of Conditions #4 and #5 of an approved Rezoning (Z-0079-01) WHICH REQUIRED THE DEDICATION AND CONSTRUCTION OF HALF-STREET IMPROVEMENTS ALONG WITTIG AVENUE adjacent to the southeast corner of Grand Canyon Drive and Elkhorn Road (APN: 125-19-501-001 and 002), U (Undeveloped) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

127. REVIEW OF CONDITION - PUBLIC HEARING - ROC-1119 - WESTVIEW, LIMITED LIABILITY COMPANY ON BEHALF OF PERMA-BILT HOMES - Request for a Review of Condition #4 of an approved Rezoning (Z-0058-01) WHICH REQUIRED THE CONSTRUCTION OF HALF-STREET IMPROVEMENTS ALONG WITTIG AVENUE adjacent to the southwest corner of Tee Pee Lane and Wittig Avenue (APN: 125-19-501-011, 012, 013, 014, 125-19-601-002 and 003), U (Undeveloped) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. REVIEW OF CONDITION - PUBLIC HEARING - ROC-1141 - ABLF, LIMITED LIABILITY COMPANY - Request for a Review of Conditions #4 and #6 of an approved Rezoning (Z-0029-01) WHICH REQUIRED FULL WIDTH ALLEY PAVING AND MEETING WITH THE TRAFFIC ENGINEERING REPRESENTATIVE FOR THE POSSIBLE REDESIGN OF DRIVEWAYS, ON-SITE CIRCULATION AND LAYOUT at 1201 Arville Street (APN: 162-06-510-018), P-R (Professional Office and Parking) under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
129. REVIEW OF CONDITION - PUBLIC HEARING - ROC-1165 - RICHMOND AMERICAN HOMES - Request for a Review of Conditions of an Approved Site Development Plan Review [Z-0101-01(1)] for condition #9 WHICH REQUIRED ALL DEVELOPMENT SHALL BE IN CONFORMANCE WITH THE SITE PLAN AND BUILDING ELEVATIONS. THE REVISED REQUEST WOULD ALLOW ONE-STORY AND TWO-STORY HOMES WITH A SECOND AND THIRD STORY LOFT OPTION WHERE ONE STORY HOMES WERE ALLOWED. IN ADDITION, condition #10 WHICH REQUIRED A TWENTY FOOT SETBACK TO THE FRONT OF THE GARAGE/HOUSE TO ALLOW A TWELVE FOOT FRONT YARD SETBACK FOR HOMES WITH SIDE LOADING GARAGES AND/OR CASITA OPTIONS on property adjacent to the northeast corner of Thom Boulevard and Severance Lane (APN: 125-13-803-001, 002, and 003), R-E (Residence Estates) Zone under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units per Acre), Ward 6 (Mack). Staff recommends APPROVAL
130. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0073-02(1) - FALLING ROCK, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF SOUTHWEST DESERT EQUITIES LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A 261-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on approximately 21.5 acres adjacent to the south side of Gowan Road, approximately 700 east of Cliff Shadows Parkway (APN: 137-12-301-005, 006, 013, 014, and a portion of 008), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development)], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
131. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-1122 - DON AND JUDITH TINGEY, ET AL - Request for a Site Development Plan Review FOR A 73 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 24.34 acres adjacent to the northwest corner of Tropical Parkway and Jones Boulevard (APN: 125-26-602-001, 125-26-604-004, 005, 006, 009, 010, and 011), R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre and R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
132. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-1129 - CITY OF LAS VEGAS ON BEHALF OF LAS VEGAS METROPOLITAN POLICE DEPARTMENT - Request for a Site Development Plan Review and for a Reduction in the Amount of Required Perimeter Landscaping FOR A PROPOSED 17,235 SQUARE FOOT METRO POLICE SUBSTATION on 4.60 acres at 600 North Ninth Street (APN: 139-27-805-001), C-V (Civic) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. ABEYANCE ITEM - STREET NAME CHANGE - PUBLIC HEARING - SNC-0002-99(1) - MYSTIC VALLEY HOME OWNERS ASSOCIATION - Request for a Street Name Change FROM: Mike Andress Avenue TO: Mystic Valley Avenue located between Durango Drive and Desert Night Street, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. STREET NAME CHANGE - PUBLIC HEARING - SNC-0002-02 - MOUNTAIN SPA RESORT DEVELOPMENT LIMITED LIABILITY COMPANY ON BEHALF OF PULTE HOMES - Request for a Street Name Change, FROM: Mountain Spa Drive TO: Silverstone Ranch Drive located at the terminus of Buffalo Drive, approximately 800 feet north of Racel Street. The Planning Commission (7-0 vote) and staff recommend APPROVAL. [NOTE: The correct Ward designation is Ward 6 (Mack). This designation did not appear on previous notifications.]
135. STREET NAME CHANGE - PUBLIC HEARING - SNC-1109 - PN II, INC. - Request for a Street Name Change FROM: Buffalo Drive TO: Silverstone Ranch Drive, from Racel Street north approximately 800 feet, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
136. VACATION PUBLIC HEARING - VAC-0063-02 - SCHOOL BOARD OF TRUSTEES - Petition to vacate a portion of Ninth Street located between Lewis Avenue and Clark Avenue, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend DENIAL
137. VACATION PUBLIC HEARING - VAC-1004 - WILLIAM AND ROCHELLE HOCKETT - Petition to vacate a five foot wide public utility easement at 8408 Cinnamon Hill Avenue, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VACATION - PUBLIC HEARING - VAC-1098 - TALON JONES, LIMITED LIABILITY COMPANY - Petition to vacate a portion of Red Rock Street generally located east of Jones Boulevard, south of Charleston Boulevard, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
139. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-0062-02 - CITY OF LAS VEGAS ON BEHALF OF LAS VEGAS METRO POLICE DEPARTMENT - Request for a Variance TO ALLOW A 100-FOOT TALL TWO-WAY RADIO, TV, MICROWAVE COMMUNICATION TOWER A REAR SETBACK OF 244 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 300 FOOT REAR SETBACK at 1851 Stella Lake Street (APN: 139-21-416-005), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
140. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO V-0062-02 - PUBLIC HEARING - U-0116-02 - CITY OF LAS VEGAS ON BEHALF OF LAS VEGAS METROPOLITAN POLICE DEPARTMENT - Appeal filed by KGA Architecture on behalf of the Las Vegas Metropolitan Police Department from the denial by the Planning Commission on a request for a Special Use Permit for a Radio, TV, Microwave, Communication Tower at 1851 Stella Lake Street (APN: 139-21-416-005), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
141. VARIANCE - PUBLIC HEARING - VAR-1080 - DAVID O'SHANN - Appeal filed by David O'Shann from the Denial by the Planning Commission on a request for a Variance TO ALLOW TWO EXISTING DETACHED ACCESSORY STRUCTURES TO BE SET BACK TWO FEET FROM THE CORNER SIDE PROPERTY LINE WHERE 15 FEET IS THE REQUIRED CORNER SIDE SETBACK at 7929 Fanciful Avenue (APN: 138-28-814-057), R-1 (Single Family Residential) Zone, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend DENIAL
142. VARIANCE - PUBLIC HEARING - VAR-1121 - PETE K. LEHR - Request for a Variance TO ALLOW AN EXISTING DETACHED GARAGE WITHIN THE FRONT YARD OF AN EXISTING SINGLE FAMILY DWELLING WHERE A DETACHED ACCESSORY STRUCTURE IS NOT PERMITTED AND TO BE SET BACK 3 FEET FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM REQUIRED AND 3 FEET 10 INCHES FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM REQUIRED at 400 Princeton Street (APN: 138-25-713-118), R-1 (Single Family Residential) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend DENIAL
143. REQUIRED FIVE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-1143 - SCANDIA FAMILY FUN CENTERS - Required Five Year Review of an approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40 FOOT TALL, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2900 Sirius Avenue (APN: 162-08-702-002), M (Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

144. TABLED ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0010-02 - LODGE MASONIC MEMORIAL TEMPLE ON BEHALF OF AD AMERICA - Request for a Special Use Permit FOR A 55-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on 3.0 Acres located adjacent to the northeast corner of Rancho Drive and Mesquite Avenue (APN: 139-29-801-005), R-1 (Single Family Residential) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Weekly). The Planning Commission (4-1-2 vote) and staff recommend DENIAL. [NOTE: THE CORRECT PROPOSED ZONING IS UNDER RESOLUTION OF INTENT TO C-V (CIVIC), NOT C-1 (LIMITED COMMERCIAL) AS NOTICED BY THE PUBLIC HEARING NOTICES AND NEWSPAPER PUBLICATION]
145. SPECIAL USE PERMIT - PUBLIC HEARING - U-0041-02 - SEA BREEZE STEINER'S LIMITED LIABILITY COMPANY ON BEHALF OF LAURICH PROPERTIES, INC. - Request for a Special Use Permit FOR A TAVERN adjacent to the east side of Buffalo Drive, approximately 500 feet north of Vegas Drive (APN: 138-22-418-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
146. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1082 - VICKI PAULBICK 1982 LIVING TRUST ON BEHALF OF NEXTEL COMMUNICATIONS - Request for a Special Use Permit FOR A PROPOSED 65 FOOT TALL WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN at 1415 South Western Street (APN: 162-04-605-004), M (Industrial) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
147. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1097 - NAMCO 8, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR (GIOCOMO'S CLASSIC DINNER PLAYHOUSE) at 3231 North Decatur Boulevard (APN: 138-12-813-001), C-2 (General Commercial) and R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
148. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1108 - FARM ROAD RETAIL, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH A PROPOSED RESTAURANT (GRAND CHINA III) at 8450 West Farm Road (APN: 125-17-610-004), TC (Town Center) Zone [SC-TC (Service Commercial-Town Center)], Ward 6 (Mack). (NOTE: This item is to be heard in conjunction with morning session Item #85). The Planning Commission (7-0 vote) and staff recommend APPROVAL
149. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1126 - DORAN AND RACHEL GERBY ON BEHALF OF TERESA NEELY - Request for a Special Use Permit FOR A SECONDHAND DEALER at 1007 South Main Street (a portion of APN:139-33-811-026), C-M (Commercial/ Industrial) Zone, Ward 1 (M. McDonald). (NOTE: This item is to be heard in conjunction with morning session Item #86). The Planning Commission (6-1 vote) and staff recommend APPROVAL
150. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1132 - ETHNEY HOVANEC - Request for a Special Use Permit and a Waiver of the Required 400 foot Distance Separation Requirement from a Child Care Facility FOR A PROPOSED RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT (TIPANAN SA FRANKLYN'S) at 2202 West Charleston Boulevard (APN: 139-32-804-007), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
151. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1137 - PECCOLE 1982 TRUST - Request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL, CLINIC OR SHELTER WITHOUT OUTSIDE PENS adjacent to the southwest corner of Charleston Boulevard and Hualapai Way (APN:163-06-101-002), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
152. SPECIAL USE PERMIT RELATED TO SUP-1137 - PUBLIC HEARING - SUP-1138 - PECCOLE 1982 TRUST - Request for a Special Use Permit and a Waiver for the storage of recreational vehicles and boats within the required rear setback and perimeter landscape buffer area FOR RECREATIONAL VEHICLE AND BOAT STORAGE IN CONJUNCTION WITH A PROPOSED MINI-WAREHOUSE FACILITY on 6.04 acres adjacent to the southwest corner of Charleston Boulevard and Hualapai Way (APN: 163-06-101-002), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

153. SPECIAL USE PERMIT RELATED TO SUP-1137 AND SUP-1138 - PUBLIC HEARING - SUP-1139 - PECCOLE 1982 TRUST - Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY on 6.04 acres adjacent to the southwest corner of Charleston Boulevard and Hualapai Way (APN: 163-06-101-002), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
154. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-1137, SUP-1138 AND SUP-1139 - PUBLIC HEARING - SDR-1136 - PECCOLE 1982 TRUST - Request for a Site Development Plan Review and for a Reduction in the Amount of Required Perimeter Landscaping FOR A PROPOSED COMMERCIAL CENTER INCLUDING AN ANIMAL HOSPITAL, MINI-WAREHOUSE FACILITY, AND RETAIL PAD SITE on 6.04 acres adjacent to the southwest corner of Charleston Boulevard and Hualapai Way (APN: 163-06-101-002), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
155. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0054-02 - NELLIS LAND COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development, 5 Units per Acre) of 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN: 140-29-801-004), Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommend APPROVAL
156. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0054-02 - PUBLIC HEARING - Z-0054-02(1) - NELLIS LAND COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 37-LOT RESIDENTIAL SUBDIVISION on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN: 140-29-801-004), PROPOSED R-PD5 (Residential Planned Development - 5 Units per Acre) Zone, Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommends APPROVAL
157. REZONING - PUBLIC HEARING - Z-0041-02 - NELLIS LAND COMPANY ON BEHALF OF LONGFORD GROUP - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) of 4.40 acres adjacent to the south side of Harris Avenue, east of the Marion Drive Alignment (APN: 140-29-801-001), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
158. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0041-02 - PUBLIC HEARING - Z-0041-02(1) - NELLIS LAND COMPANY ON BEHALF OF LONGFORD GROUP - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT SINGLE-FAMILY SUBDIVISION on 4.40 acres adjacent to the south side of Harris Avenue, east of the Marion Drive alignment (APN: 140-29-801-001), [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
159. REZONING - PUBLIC HEARING - ZON-1112 - JEROD, INC. - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 1.22 acres at 4485 North Rainbow Boulevard (APN: 138-03-602-013), PROPOSED USE: OFFICE CONVERSION, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
160. REZONING - PUBLIC HEARING - ZON-1123 - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) TO: PD (Planned Development) on 38.5 acres adjacent to the northeast corner of Cliff Shadows Parkway and Alexander Road (APN: 137-01-301-010 and a portion of 137-01-301-003), PROPOSED USE: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 4 (Brown). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
161. REZONING - PUBLIC HEARING - ZON-1125 - PN II, INC. ON BEHALF OF PULTE HOMES - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 38.0 acres adjacent to the northeast corner of Everest Street and Mountain Spa Drive [PROPOSED: Silverstone Ranch Drive] (APN: 125-10-212-001 and 002), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

162. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0035-02 - MARY BARTSAS, ET AL ON BEHALF OF CARTER & BURGESS, INC. - Request to amend a portion of the Centennial Hills Sector Plan FROM: ML (Medium-Low Density Residential) TO: SC (Service Commercial) on 34.43 acres adjacent to the northwest corner of Craig Road and Jones Boulevard (APN: 138-02-601-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
163. REZONING RELATED TO GPA-0035-02 - PUBLIC HEARING - Z-0081-02 - MARY BARTSAS, ET AL ON BEHALF OF CARTER & BURGESS, INC. - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 34.43 acres adjacent to the northwest corner of Craig Road and Jones Boulevard (APN: 138-02-601-004), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
164. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

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

2003 JAN 27 P 12:30

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
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was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3 edition(s) of said newspaper issued from 01/03/2003 to 01/17/2003, on the following days: JAN. 3, 10, 17, 2003

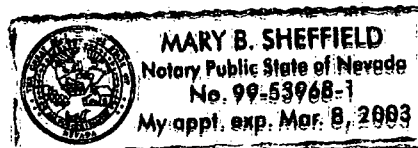
Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 17

day of January 2003

Mary B. Sheffield
Notary Public

PLEASE SEE ATTACHED



NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") and to all interested persons that:

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

ALEXANDER ROAD (SOUTH SIDE) - from the centerline of Rancho Drive west along Alexander Road approximately 692-feet (100-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The Improvements on Alexander Road will consist of the grading, regrading, graveling, and asphalt paving as necessary for at least four (4) travel lanes, a two-way center left turn lane with raised medians at the signalized or future, signalized intersections, "L" type curb and gutter, sidewalks, commercial or residential driveway approach and streetlights. The streetlights will be installed at the back of the sidewalk at appropriate intervals. At the request of the owners of property in the District (filed with the office of the Special Improvement District prior to November 29, 2002) water and sewer laterals will be installed from the existing or proposed main lines in Alexander 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:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 74,652.28	\$ 2,944,385.72	\$ 3,019,038.00

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). 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. Each property owner will be assessed for the cost of an 8-foot wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

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

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed, 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, January 22, 2003, 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 thereof, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to 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, January 17, 2003. 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

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

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

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

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in twenty (20) substantially equal semi-annual installments which will include both principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties 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 Friday, January 17, 2003, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-6687.

By order of the City Council of the City, Nevada, and dated this December 18, 2002.

/s/ Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk

Exhibit "C"

(Attach minutes of public hearing on January 22, 2003)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 22, 2003

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Public hearing on proposed local improvement district for Special Improvement District No. 1499 - Alexander Road (US-95 to Rancho Drive) (\$74,652.28 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$74,652.28

☐

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, "L" type curb and gutter, sidewalk, driveway approaches, and streetlights. Costs will be recovered over a 10-year period in accordance with the Provisional Order approved by City Council on the 18th day of December, 2002.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

Notice of Public Hearing

MOTION:

MACK – PUBLIC HEARING held

NOTE: COUNCILMAN MACK disclosed that his brother, Steven Mack, owns a Super Pawn located on the secondary access street off of Alexander Road. He stated that this will have no impact on his brother's business and will be voting on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOHN McNELLIS, Department of Public Works, gave a brief overview of the Regional Transportation Commission's proposed project located at US95 to Rancho Drive. He noted that there is only one property owner within this district and she was present.

City of Las Vegas

CITY COUNCIL MEETING OF JANUARY 22, 2003

Public Works Department

Item 100 – Public Hearing – Special Improvement District No. 1499

MINUTES – Continued:

MICHELE ACHIARDI, 3066 Cadbury Drive, appeared to discuss the special improvements on Alexander as well as her request to postpone the matter for two months. She explained that she received a telephone call from JIM SALLEE of Property Specialists, Incorporated, who claimed that the process was in place for the permanent right-of-way for sewer easement on Alexander Road. She also stated that she was presented with an Offer to Purchase, which she chose not to sign. MR. SALLEE informed MS. ACHIARDI that the City plans to go forward with the improvement plans for Alexander Road. She asked for verification as to whether the City intended to go forward with the proposed project. MAYOR GOODMAN affirmed that the agenda states that the project will move forward if it is approved. MS. ACHIARDI said that she would protest the proposed local improvement district. MS. ACHIARDI explained that she has not had sufficient time to prepare or to seek legal advice.

MR. McNELLIS interjected and explained that MS. ACHIARDI does not have any firm development plans for her property. He stated that the issue involves the installation of curb/gutter/sidewalks along the Alexander frontage of her property.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:45 – 1:49)

4-272

STATE OF NEVADA)
) ss. AFFIDAVIT OF MAILING
) NOTICE OF HEARING
CITY OF LAS VEGAS)

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.

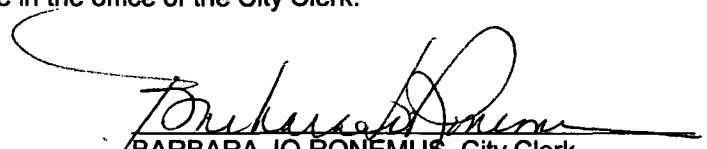
2. I mailed or caused to be mailed a notice entitled "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on January 2, 2003, being at least twenty (20) days prior to the hearing, on January 22, 2003, 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.

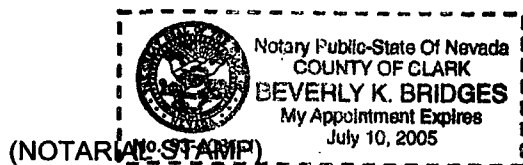
Further Affiant sayeth naught.

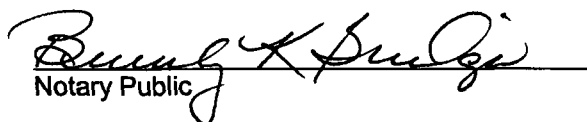

BARBARA JO RONEMUS, City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this 20th

Feb 2003.

My commission expires 7-10-2005.




Notary Public

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **2nd** day of **January, 2003**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing – re: **Special Improvement District #1499**, to be held on the **22nd** day of **January, 2003** was deposited in the United States Mail, Postage prepaid, First Class Certified Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.



SIGNATURE

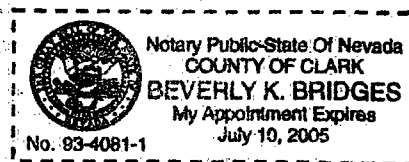
City Clerk

DEPARTMENT

Subscribed and sworn to before me this

2nd day of January, 2003


NOTARY PUBLIC in and for said County and State



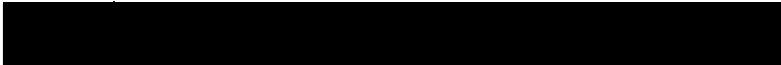


EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
** ASSESSMENT ROLL **
Alexander Road - SID 1499
Preliminary Estimate
Clark County

Page 1
Date 12/16/02 11:19a

US-95 TO RANCHO DRIVE

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
138-02-803-001	DOC: 19910103:00613 DATE: 01/03/91 PT SEC 02 20 60 PARCEL MAP FILE 28 PAGE 30 LOT 4	ACHIARDI, MICHELE 3066 CADBURY DR LAS VEGAS NV 89121-5608	1087260.00	85850.00	74652.28
** REPORT TOTALS					74652.28

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. 1499 – ALEXANDER ROAD (US-95 TO RANCHO DRIVE)**

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1499 – Alexander Road (US-95 to Rancho Drive) (hereinafter the "District") and to all interested persons that:

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ALEXANDER ROAD (SOUTH SIDE) - from the centerline of Rancho Drive west along Alexander Road approximately 692-feet (100-foot right-of-way).

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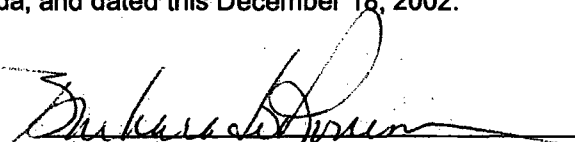
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By order of the City Council of the City, Nevada, and dated this December 18, 2002.


BARBARA JO RONEMUS, City Clerk