

RESOLUTION NO. R-4-2004

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1472 – DURANGO DRIVE (LONE MOUNTAIN ROAD TO TROPICAL PARKWAY); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the “City Council” and the “City” respectively) pursuant to an ordinance heretofore adopted (hereinafter the “Creation Ordinance”) created City of Las Vegas, Nevada, Special Improvement District No. 1472 – Durango Drive (Lone Mountain Road to Tropical Parkway) (hereinafter the “District”) and ordered the acquisition of certain public improvements within the District (hereinafter the “Project”); and

WHEREAS, the City Council, by resolution heretofore adopted, has authorized the proper officers of the City to execute a construction contract on behalf of the City in accordance with NRS 271.335, for the Project, all as provided by law; and

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

WHEREAS, NRS 271.360 provides that the City Council may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the City, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$4,064,248.35, of which \$3,895,347.11 is available from other sources and \$168,901.24 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits and corresponding market value increases from the Project; and

WHEREAS, the City Council by resolution heretofore adopted, directed the City Engineer (with the assistance of the Engineering Integration Division) to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the proposed assessment to be levied thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has prepared and filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council has 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 District and only that property, which is so specially benefited, is included on the final assessment roll; and

WHEREAS, the City Council has also determined, and does hereby determine, that the notice for a hearing on the final assessment roll, which is provided for herein, is reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. All actions, 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 District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. A portion of the total cost of the District, to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the District shall be apportioned and the amount to be assessed shall be as follows:

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$ 4,064,248.35	\$ 168,901.24	\$ 3,895,347.11

Section 3. The final assessment roll for the District has been examined by the City Council, is tentatively approved, and is ordered filed in the office of the City Clerk.

Section 4. Wednesday, February 4, 2004, at 1:00 P.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in "City of Las Vegas, Nevada, Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway)" and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City and a newspaper of general circulation in the District. Such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication in said newspaper to be at least 15 days prior to the date of the protest hearing. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication in such newspaper and the last publication in the same newspaper. Service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. In accordance with NRS 271.380 (2), the City Clerk or Deputy City Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mail, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last known owner or owners of each tract being assessed at his or their last known address or addresses. Proof of mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk, provided however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) appertaining thereto, have been paid in full, both principal and interest, or any claim is barred by an appropriate statute of limitations. The City Council of City of Las Vegas hereby determines that the manner of giving notice herein provided by publication and by registered or certified mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levying of assessments, which may directly and

adversely affect their legally protected interests. Such notice shall be provided in NRS 271.380 and shall be substantially in the following form:

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1472 - DURANGO DRIVE (LONE MOUNTAIN ROAD TO TROPICAL PARKWAY).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-3 for City of Las Vegas, Nevada, Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 7, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1472 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

DURANGO DRIVE (EAST SIDE) - from the centerline of La Madre Way northerly along Durango Drive to the centerline of Hammer Lane. (100-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of 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 assessments will be levied on a front foot basis, provided 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 streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. 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.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 4, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, January 30, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to

be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (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 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) 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 three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of

the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than Friday, January 30, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 7, 2004.

BARBARA JO RONEMUS, City Clerk

(End of Form)

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such final assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three (3) days prior to the date set for the hearing, file with the office of the City Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

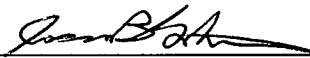
Section 8. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect any remaining provisions of this Resolution.

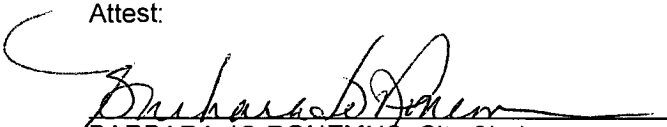
Section 11. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

PASSED and APPROVED on January 7, 2004.



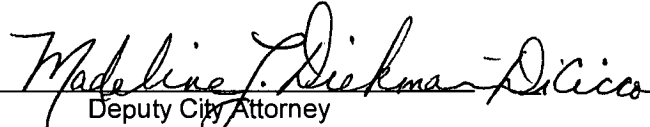
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

12-18-'03 
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 January 7, 2004.

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 Larry Brown Lynette Boggs McDonald Lawrence Weekly Michael Mack Janet Moncrief
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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) Las Vegas Library
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
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 January 7, 2004, is attached to this certificate as Exhibit "A".

IN WITNESS WHEREOF, I have hereunto set my hand on this January 7, 2004.

(SEAL)

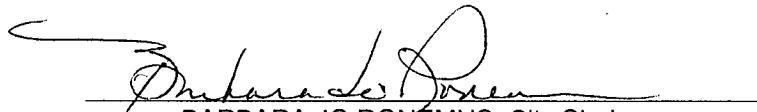

BARBARA JO RONEMUS, City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

CITY COUNCIL AGENDA

JANUARY 7, 2004
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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

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

COUNCILMEMBERS: LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),

LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6), JANET MONCRIEF (Ward 1)

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.

JANUARY 7, 2004

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

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - RABBI RICHARD SCHACHET, VALLEY OUTREACH SYNAGOGUE
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF WARD 1 HOLIDAY GIVEAWAY PARTICIPANTS
- RECOGNITION OF KARLA AND DUANE ALEXANDER, OWNERS OF BOARDEEP, FOR THEIR COMMITMENT TO THE COMMUNITY

BUSINESS ITEMS

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

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.

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

2. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
3. Approval of a report by the City Treasurer of the December 9, 2003 sale of properties subject to the lien of a delinquent assessment in District 505 and in certain other districts - Ward 6 (Mack) and other districts in various wards
4. Approval of an increase in the City's required letter of credit (from \$10,185,000 to \$10,507,107) for workers compensation claims in the estimated amount of \$51,484.82 - Workers Compensation Internal Service Fund
5. Approval of a new Package License and a Wine/Beer/Cordial and Liqueur Tasting License subject to the provisions of the planning and fire codes and Health Dept. regulations, Bleu Gourmet, LLC, dba Bleu Gourmet, 8751 West Charleston Boulevard, Samuel R. Bailey, Mgr, Mmbr, 35%, Robert L. Bowell, Mgr, Mmbr, 35%, Sandeep Ahuja, Mmbr, 30% - Ward 1 (Moncrief)
6. ABEYANCE ITEM - Approval of Change of Ownership and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, From: Almeida & Almeida, dba Maggie's Tavern, William E. Almeida and Margarita Almeida, 100% jointly as husband and wife, To: Claudio Garcia, dba Sin Fronteras Bar & Night Club, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)
7. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Cook 'n Wok Inn, LLC, Ansheng Liu, Mgr, 50%, Hong Pu, Mgr, 50%, To: BLDMA, LLC, dba Wok's Inn, 7930 West Tropical Parkway, Suite 140, Bounleuth J. Mingmuang, Mgr, 50%, Laddavanh T. Mingmuang, Mmbr, 50% - Ward 6 (Mack)
8. Approval of Change of Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Gustav International Chartered, dba From: Oxo Steak and Seafood Eatery, To: Plush, 221 North Rampart Boulevard, Suite 7140, Gustav E. Mauler, Dir, Pres and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife - Ward 2 (L.B. McDonald)
9. Approval of a new Slot Route Operator License subject to approval by the Nevada Gaming Commission, Eagle Rock Gaming (A Nevada Corporation), dba Eagle Rock Gaming, 50 South Jones Boulevard, Suite 100, Kimberly B. Riggs, Dir, Pres, 25%, Ernest A. Becker, V, Dir, Secy, 25%, Brian T. Becker, Dir, Treas, 25%, Sallie E. Becker, Dir, 25% - Ward 1 (Moncrief)
10. Approval of a new Locksmith License, Michael L. Burnett, dba Mike's Safe & Lock, 11234 Falesco Avenue, Michael L. Burnett, 100% - Ward 2 (L.B. McDonald)
11. Approval of a new Martial Arts Instruction Business License, AKS Karate, Inc., dba AKS Karate, Inc., 6704 West Cheyenne Avenue, Robert I. Navoa, Dir, Pres, 60%, Raymond L. Mingo, Dir, VP, 40%, Arlene A. Navoa, Dir, Secy, Tamika K. R. Simmons, Dir, Treas - Ward 6 (Mack)
12. Approval of rejection of low bid as non-responsive and award of Bid Number 03.53541.28-LED, Contract 28, Miscellaneous Improvements - Water Pollution Control Facility (WPCF), 6005 East Vegas Valley Drive, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: P.R. BURKE CORPORATION (\$3,319,000.40 - Sanitation Enterprise Fund)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

13. Approval of revision to purchase order 215281 for an annual requirements contract for Food Services for Detention and Enforcement Facility, 3300 Stewart Avenue – Department of Detention and Enforcement – Award to: INSTITUTIONAL FOODSERVICE MANAGEMENT (\$1,300,000 – General Fund) – Ward 3 (Reese)
14. Approval of award of Bid Number 04.1730.03-LED, PM-10/CMAQ Roadway Improvements, Phase 2A and approve the construction and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: CAPRIATI CONSTRUCTION CORPORATION (\$1,126,544 - Road and Flood Capital Projects Fund, Sanitation Enterprise Fund and Public Works Capital Projects Fund) - Wards 1 and 5 (Moncrief and Weekly)
15. Approval of issuance of a purchase order for the purchase of 800 megahertz radios - Department of Fire and Rescue - Award recommended to: MOTOROLA, INC. (\$567,837 - Multipurpose Special Revenue Fund)
16. Approval of Contract Modification Number One to Bid Number 01.1762.05-RC, Annual Requirements Contract for AC Pavement Reconstruction - Award to: SOUTHERN NEVADA PAVING, INC. (\$350,000 - Public Works Capital Projects Fund) - All Wards
17. Approval of revision to purchase order 209582 for City-wide Hansen Software Maintenance - Department of Information Technologies to: HANSEN INFORMATION TECHNOLOGIES, INC. (\$150,000 prorated amount for FY 2004 - Computer Services Internal Service Fund)
18. Approval of issuance of a purchase order for an annual requirements contract for Alarm Services - Department of Field Operations - Award recommended to: ALARMCO, INC. (Estimated annual amount of \$150,000 - General Fund) - All Wards
19. Approval of Contract No. 030315 Communications Third-Party Recovery Audit Services - Various Departments - Award recommended to: TSL, INC. (Estimated amount of \$75,310 - General Fund)
20. Approval of issuance of a purchase order for an Annual Requirements Contract for OEM Case Equipment Parts and Service - Department of Field Operations - Award recommended to: HERTZ EQUIPMENT RENTAL (Estimated annual usage amount of \$70,000 - Automotive Operations Internal Service Fund)
21. Approval of issuance of a purchase order for Class Software maintenance - Department of Information Technologies - Award recommended to: CLASS SOFTWARE SOLUTIONS (Estimated annual amount of \$65,000 - General Fund)
22. Approval of issuance of a purchase order for an annual requirements contract for Toro OEM parts and service - Department of Field Operations - Award recommended to: SIMPSON NORTON CORP. (Estimated annual usage amount of \$30,000 - Automotive Operations Internal Service Fund)
23. Approval of award of Contract for Sports Park Consulting Services - Office of the City Manager - Award recommended to: BIG LEAGUE DREAMS CONSULTING, LLC (\$600,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Mack)

HUMAN RESOURCES DEPARTMENT - CONSENT

24. Approval to contract with Behavioral Healthcare Options, Inc. (BHO) for an employee assistance plan for employees choosing Health Plan of Nevada as their insurance provider (\$5,900 - Self-insurance Internal Service Fund)
25. Approval of payment for a permanent partial disability award - Claim #WC00080330 - as required under the workers' compensation statutes (\$66,060 - Workers' Compensation Internal Service Fund)

PUBLIC WORKS DEPARTMENT - CONSENT

26. Approval to file an amendment to Right-of-Way Grant N-76116 with the Bureau of Land Management for roadway, sanitary sewer and drainage purposes on portions of land lying within the Southwest Quarter of Section 17, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the north side of the Solar Lane alignment, between the Campbell Road and Dapple Gray alignments, APN 125-17-401-002 – Ward 6 (Mack)
27. Approval to file a Right-of-Way Grant with the Bureau of Land Management for sewer purposes on portions of land lying within the Southwest Quarter of Section 30, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located on the south side of the Tropical Parkway alignment, between the alignments of Hualapai Way and Grand Canyon Drive, APN 125-30-301-008 and -302-006 – County
28. Approval of a Professional Services Agreement with C+B Nevada, Inc., for the design services of the Detention Culinary Upgrade located at 3300 Stewart Avenue, between Mojave Road and Pecos Road (\$132,428 - Detention Capital Project) - Ward 3 (Reese)
29. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Lochsa Engineering on behalf of Calvin Lee Monfort, owner (southwest corner of Dapple Gray Road and Hickam Avenue, APN 138-05-401-002) - County (near Ward 4 - Brown)
30. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Luis Alires P.E., Consulting Engineer on behalf of Thomas Wheeler, owner (northeast corner of Corbett Street and Kevin Street, APN 125-29-304-007) - County (near Ward 6 - Mack)
31. Approval of an Encroachment Request from Keith Lane on behalf of Rebuilding Together with Christmas in April, owner (611 South Ninth Street) - Ward 5 (Weekly)
32. Approval of an Encroachment Request from Taney Engineering on behalf of Lewis Center Parking, LLC, owner (northeast corner of Lewis Avenue and Casino Center Boulevard) - Ward 5 (Weekly)
33. Approval of an Encroachment Request from Primas and Associates on behalf of Higginbotham Family Trust, owner (Washington Avenue east of Buffalo Drive) - Ward 2 (L.B. McDonald)

RESOLUTIONS - CONSENT

34. R-1-2004 - Approval of a Resolution directing the City Treasurer to prepare the Fifty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
35. R-2-2004 - Approval of a Resolution approving the Fifty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
36. R-3-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (\$168,901.24 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
37. R-4-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (\$168,901.24 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
38. R-5-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) (\$209,036.50 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
39. R-6-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1474 - Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) (\$209,036.50 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

RESOLUTIONS - CONSENT

40. R-7-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$2,744,088.73 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
41. R-8-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$2,744,088.73 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
42. R-9-2004 - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) (\$402,663.60 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
43. R-10-2004 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1486 - Rainbow Boulevard Phase II (Rancho Drive to Ann Road) \$402,663.60 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)
44. R-11-2004 - Approval of a Resolution Making Provisional Order and Directing that Notice of Hearing thereon be given regarding Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (\$349,029.49 - Capital Projects Fund - Special Assessments) - Ward 6 (Mack)

REAL ESTATE COMMITTEE – CONSENT

45. Approval to enter into negotiations with The Animal Foundation to amend the current Lease Agreement or to establish a new Lease Agreement for the Animal Shelter Facility located at 655 North Mojave Road - Ward 3 (Reese)
46. Approval of a License Agreement between the City of Las Vegas and DTR6, L.L.C. for the purpose of assuring the continued clean and orderly appearance of the roads and have the City agree to refrain from imposing parking restrictions along the west side of Bilbray Drive and the south side of Balzar Avenue located next to the Best In The West Shopping Center (\$14,400 first year revenue) - Ward 6 (Mack)
47. Approval of a Lease Agreement Amendment between the City of Las Vegas and Jude 22 for use of a building located at 320 South 9th Street to operate a Senior Nutrition Center to include the use of a 400 square foot trailer for storage purposes at no additional rental charge - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

48. Discussion and possible action to establish an employment policy for state legislators and other elected or appointed government officials

CITY ATTORNEY - DISCUSSION

49. Hearing, discussion and possible action regarding complaint seeking disciplinary action against La Fuente, Inc., d/b/a Cheetah's, 2112 Western Avenue, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code - Ward 1 (Moncrief)

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

50. Public hearing related to the amendment of the use of proceeds and pledged funding source for the City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues) Series 2002A - Ward 5 (Weekly)
51. Discussion and possible action regarding a Six Month Review of a Beer/Wine/Cooler Off-sale License, Salar Shoshani, dba Stop and Save Mini Mart & Gas, 99 South Martin L. King Boulevard, Salar Shoshani, 100% - Ward 5 (Weekly)
52. Discussion and possible action regarding a Review of a Slot Route Operator Space Lease Location Restricted Gaming License for 7 slots, Golden Route Operations, LLC, dba Stop and Save Mini Mart & Gas, 99 South Martin L. King Boulevard - Ward 5 (Weekly)
53. Discussion and possible action regarding Temporary Approval of a new Class I-B Secondhand Dealer License subject to the provisions of the planning and fire codes, Oval Six, Inc., dba Hubcap Heaven and Wheels of Nevada, 3070 Sirius Avenue, Unit 109, Rodney A. Glenn, Dir, Pres, 50%, John A. Glenn, Secy, Treas, 50% - Ward 1 (Moncrief)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

54. Discussion and possible action regarding funding of winter shelter at Shade Tree, Salvation Army, and Catholic Charities as well as funds for a Regional Homeless Coordinator position as accepted by the Southern Nevada Regional Planning Coalition (SNRPC) Technical Committee on Homelessness (Not to exceed \$129,742 - General Fund-Weather Shelter) - All Wards

BOARDS & COMMISSIONS - DISCUSSION

55. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – New Ward 5 Coterminous Appointment, Term Expiration 6-2007
56. ABEYANCE ITEM - TRAFFIC & PARKING COMMISSION – Lewis Brandon, Term Expiration 10-18-2004 (Resigned)
57. ABEYANCE ITEM - COMMUNITY DEVELOPMENT RECOMMENDING BOARD (CDRB) – Monica Caruso, Term Expiration 5-5-2004 (Resigned)
58. PARK & RECREATION ADVISORY COMMISSION – Letia (Lee) M. Heenan, Term Expiration 1-3-2004

REAL ESTATE COMMITTEE - DISCUSSION

59. Discussion and possible action to direct and authorize staff to proceed with a Request For Development Proposals for the site at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres owned by Office District Parking I, Inc., APN 139-34-311-095 to -102 and -105 to 110 - Ward 1 (Moncrief)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

60. Bill No. 2003-105 – Annexation No. ANX-3026 – Property location: On the north of Moccasin Road, west of Buffalo Drive, and east of Spin Ranch Road; Petitioned by: City of Las Vegas; Approximate acreage: 7,683 acres; Zoned: R-U (County zoning), U (City equivalent). Sponsored by: Councilman Michael Mack

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

61. Bill No. 2003-103 – Prohibits the use of residential streets for the test-driving of vehicles offered for sale or lease by a vehicle dealership. Sponsored by: Councilwoman Janet Moncrief and Mayor Oscar B. Goodman
62. Bill No. 2003-107 – Annexation No. A-0017-02 (A) – Property location: On the southeast corner of Rainbow Boulevard and Atwood Avenue; Petitioned by: Dr. Carol Barlow; Acreage: 1.18 acres; Zoned: C-P (County zoning), O (City equivalent). Sponsored by: Councilman Michael Mack
63. Bill No. 2003-108 – Annexation No. ANX-3103 – Property location: On the southwest corner of Coke Street and Horse Drive; Petitioned by: Coke Maggie LLC; Acreage: 5.94 acres; Zoned: R-E (County zoning), U (RNP) (City equivalent). Sponsored by: Councilman Michael Mack
64. Bill No. 2003-109 – Requires mobile food vendors to attach a City issued identification number to their vending vehicle, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services
65. Bill No. 2003-110 – Imposes a new requirement for the display of ice cream truck business licenses, prohibits the transfer of such licenses, repeals the requirement that ice cream trucks be inspected annually by the City, and conditions their operations within one thousand feet of a licensed concession stand located in a City park. Proposed by: Mark Vincent, Director of Finance and Business Services
66. Bill No. 2003-111 – Allows mixed-use developments by means of special use permit throughout the Neighborhood Revitalization Area established by the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
67. Bill No. 2003-112 – Establishes the circumstances under which the use “temporary real estate sales office” may be permitted as a conditional use in various commercial and industrial districts. Proposed by: Robert S. Genzer, Director of Planning and Development

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.

68. Bill No. 2004-1 – Annexation No. ANX-3344 – Property location: On the west side of Ferrell Street, 200 feet south of Holly Avenue; Petitioned by: Holly Ferrell, LLC; Acreage: 1.50 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
69. Bill No. 2004-2 – Adopts as the City’s Fire Code the NFPA 1, Uniform Fire Code, 2003 Edition, together with a Supplemental Document pertaining thereto. Proposed by: David L. Washington, Chief, Department of Fire and Rescue
70. Bill No. Z-2004-1 – Amends the City’s Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Robert S. Genzer, Director of Planning and Development
71. Bill No. Z-2004-2 – Amends the City’s Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Robert S. Genzer, Director of Planning and Development
72. Bill No. 2004-3 – Adjusts the qualifications for membership on the Child Care Licensing Board. Proposed by: Mark Vincent, Director of Finance and Business Services

1:00 P.M. - AFTERNOON SESSION

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

HEARINGS - DISCUSSION

74. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 2208 Fairfield Ave. PROPERTY OWNERS: MOONGLOW L L C – Ward 1 (Moncrief)
75. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 4550 E. Washington Ave. PROPERTY OWNERS: ASSISTED LIVING CENTER, ET AL - Ward 3 (Reese)
76. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 802 Stewart Ave. PROPERTY OWNERS: ABOLFAZL AND DOBRINKA HOSSEINPOUR – Ward 5 (Weekly)
77. ABEYANCE ITEM - Required 30-day review regarding the appeal of the notice to remove the outdoor pay telephone at 6237 Bellota Drive. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)
78. ABEYANCE ITEM - Required 30-day review regarding the appeal of the notice to remove the outdoor pay telephone at 1916 Lirio Way. PROPERTY OWNER: CUSTOM COMMUNICATIONS NETWORK – Ward 6 (Mack)

PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

79. EXTENSION OF TIME - VARIANCE - EOT-3239 - BIG SKY DEVELOPMENT ON BEHALF OF GRAND CANYON INVESTORS, LIMITED LIABILITY COMPANY - Request for an Extension of Time on an approved Variance (V-0058-02) TO ALLOW FIVE-FOOT WIDE SIDEWALKS WHERE MINIMUM SEVEN-FOOT WIDE SIDEWALKS OR WHEEL STOPS AND/OR CURBING ARE REQUIRED on 18.84 acres adjacent to the east side of Grand Canyon Drive, approximately 1,300 feet north of Grand Teton Drive (APN: 125-07-701-004), R-E (Residence Estates) Zone under Resolution of Intent to PD (Planned Development) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
80. EXTENSION OF TIME - REZONING - EOT-3281 - OWENS STAR, LIMITED LIABILITY COMPANY - Request for an Extension of Time of an approved Rezoning (Z-0057-01) FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) on 3.13 acres adjacent to the southwest corner of Owens Avenue and Sandhill Road (APN: 140-30-102-006), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

81. ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - ROC-3301 - DAVID LOCKARD - Request for a Review of Condition Number 1 of an approved Rezoning (Z-0055-69) which required a 6-foot high decorative block wall along Yale Street on property located at 1101 North Decatur Boulevard (APN: 138-25-617-051), P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief). Staff recommends DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

82. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3238 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review [SDR-1769], to allow a building height of three stories or 35 feet where a building height of two stories or 35 feet is required, on 41.21 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
83. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3240 - ASTORIA HOMES ON BEHALF OF ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 4 of an approved Site Development Plan Review [SDR-1769], to allow 18-foot setbacks to the front of the garage as measured from the back of sidewalk or from back of curb where no sidewalk is provided for lots 294 to 396 and 418 to 489 (179 lots) where a 20-foot setback is required on 41.26 acres adjacent to the northeast corner of Fort Apache Road and Severence Lane (APN: 125-17-301-001), T-C (Town Center) Zone [M-TC (Medium Density Residential – Town Center) land use designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
84. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3283 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Rezoning (ZON-2436) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL
85. REVIEW OF CONDITION - PUBLIC HEARING - ROC-3286 - RAZI INVESTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF DEER SPRINGS ESTATES, LIMITED LIABILITY COMPANY - Request for a Review of Condition No. 3 of an approved Site Development Plan Review (SDR-2437) TO ALLOW A MINIMUM LOT SIZE OF 8,600 SQUARE FEET WHERE A MINIMUM LOT SIZE OF 11,000 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 9.15 acres adjacent to the northwest corner of Leon Avenue and Deer Springs Way (APN: 125-24-201-003, 004, and 005), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) is forwarding this item with NO RECOMMENDATION. Staff recommends APPROVAL
86. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3191 - GEORGE RAINHART ARCHITECTS ON BEHALF OF PP LAND, LIMITED PARTNERSHIP - Request for a Site Development Plan Review and a Waiver of build-to-street standards of the Town Center Development Standards FOR A 23,320 SQUARE FOOT COMMERCIAL BUILDING on 4.91 acres at the north corner of Durango Drive and El Capitan Way (APN: 125-17-601-011), T-C (Town Center) [SC-TC (Service Commercial – Town Center) land use designation, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
87. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3273 - SUNRISE MOUNTAINVIEW HOSPITAL, INC. - Request for a Site Development Plan Review FOR A PROPOSED 220,000 SQUARE-FOOT, FOUR-STORY PARKING STRUCTURE on 28.10 acres adjacent to the southeast corner of Tenaya Way and Cheyenne Avenue (APN: 138-15-510-005), C-PB (Planned Business Park) Zone, Ward 4 (Brown). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
88. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-3275 - THE ANIMAL FOUNDATION ON BEHALF OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED ANIMAL SHELTER AND VETERINARY COMPLEX on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road (APN: 139-25-801-002 and 003; 139-25-405-007), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

89. ABEYANCE ITEM - MAJOR MODIFICATION TO THE IRON MOUNTAIN RANCH MASTER PLAN - PUBLIC HEARING - MOD-3069 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY - Request for a Major Modification to the Iron Mountain Ranch Master Plan (Planned Area 16 and Section 2.3.2) TO ALLOW 14,000 SQUARE FOOT MINIMUM LOT SIZES WHERE 20,000 SQUARE FOOT IS THE MINIMUM ALLOWED on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
90. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3069 - PUBLIC HEARING - SDR-3072 - SIGNATURE HOMES ON BEHALF OF PLASTER DEVELOPMENT COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 18 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.8 acres adjacent to the southwest corner of Horse Drive and Thom Boulevard (APN: 125-12-701-005), R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
91. ABEYANCE ITEM - STREET NAME CHANGE - PUBLIC HEARING - SNC-3092 - CITY OF LAS VEGAS - Request to rename certain public streets between Tropical Parkway on the south and Grand Teton Drive on the north, and between El Capitan Way on the west and Durango Drive on the east, to accommodate the revised alignment of Durango Drive incorporating the "S-Curve" between Tropical Parkway and Centennial Parkway, and to maintain continuity of street names across intersections, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
92. VACATION - PUBLIC HEARING - VAC-3264 - RL HOMES, LIMITED LIABILITY COMPANY ON BEHALF OF DARK, LIMITED LIABILITY COMPANY - Request to Vacate a BLM Roadway Easement generally located adjacent to the north side of the Alexander Road alignment, 350 feet west of Vegas Vista Trail, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL
93. VACATION - PUBLIC HEARING - VAC-3282 - BARBARA SINGLETON TRUST - Petition to Vacate a portion of Lisa Lane between La Madre Way and Washburn Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
94. VARIANCE - PUBLIC HEARING - VAR-3236 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a Request for a Variance TO ALLOW A 190-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 219 FEET AND TO ALLOW A REAR YARD SETBACK OF 12 FEET WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED for a proposed 73-Foot Tall Slim-line Wireless Communication Facility (Non-Stealth) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
95. SPECIAL USE PERMIT RELATED TO VAR-3236 - PUBLIC HEARING - SUP-3237 - CINGULAR WIRELESS ON BEHALF OF CHARLESTON HEIGHTS DEVELOPMENT COMPANY, INCORPORATED - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 73-FOOT TALL SLIM-LINE WIRELESS COMMUNICATION FACILITY (NON-STEALTH) on property adjacent to the northeast corner of Cheyenne Avenue and U.S. 95 (APN: 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission 5-0-1 vote) and staff recommend DENIAL
96. VARIANCE - PUBLIC HEARING - VAR-3291 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREYDOON AND SUSAN TOFIGH TRUST - Request for a Variance to allow 84 parking spaces where 115 parking spaces are required and to allow a 66-foot setback where Residential Adjacency Standards require a 75-foot setback FOR A PROPOSED TWO-STORY, 20,410 SQUARE FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

97. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3291 - PUBLIC HEARING - SDR-3289 - GOOD SHEPHERD HEALTHCARE ON BEHALF OF NISH INVESTMENT COMPANY, LIMITED LIABILITY COMPANY AND FEREDDOON AND SUSAN TOFIGH TRUST - Request for a Site Development Plan Review and Waivers of the FRONT AND CORNER SIDE SETBACKS, THE ONE-STORY, 20-FOOT MAXIMUM HEIGHT RESTRICTION, AND A PORTION OF THE PERIMETER AND PARKING LOT LANDSCAPING FOR A PROPOSED TWO-STORY, 20,410 SQUARE-FOOT MEDICAL OFFICE BUILDING on 1.09 acres adjacent to the southeast corner of Charleston Boulevard and Cahlan Drive (APN: 162-05-512-001 and 003), C-D (Designed Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL
98. VARIANCE - PUBLIC HEARING - VAR-3360 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST - Request for a Variance TO ALLOW A 27-FOOT SIDE YARD SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 78 FEET for a proposed Private School, Primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN:125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
99. SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3360 - PUBLIC HEARING - SDR-3284 - CUMORAH, INCORPORATED ON BEHALF OF THE VAN BLANKENSTEIN FAMILY 1980 TRUST - Request for a Site Development Plan Review FOR A PROPOSED PRIVATE SCHOOL, PRIMARY on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road (APN: 125-26-203-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
- 100.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2904 - LIBORIO MARKET ON BEHALF OF TRIPLE A, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR SLAUGHTER AND PROCESSING OF LIVE POULTRY and Waivers to allow deliveries from the hours of 4:00 a.m. to 8:00 p.m., where 8:00 a.m. to 8:00 p.m. are required; to permit the delivery of up to 300 chickens at one time, where the limit is 50 chickens per day; to permit the keeping of chickens on-site during over-night hours where no over-night storage of live chickens is permitted at 930 North Lamb Boulevard (APN:140-30-601-016), R-MHP (Residential Mobile/Manufactured Home Park) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL of the Special Use Permit; staff recommends DENIAL and the Planning Commission (4-2 vote) recommends APPROVAL of the Waivers
- 101.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2962 - KOSTER FINANCE ON BEHALF OF CEAGLE SPIRIT, LIMITED LIABILITY COMPANY - Appeal filed by Koster Finance from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 2300 East Bonanza Road (APN: 139-35-501-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (3-2-1 vote) and staff recommend DENIAL
- 102.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3114 - SHOW MEDIA ON BEHALF OF PROFESSIONAL INVESTMENT GROUP, LIMITED LIABILITY COMPANY - Appeal filed by Show Media from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40-FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4545 West Sahara Avenue (APN:162-07-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL
- 103.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3128 - NORA ARMENIAN ON BEHALF OF THE KOUTNOUYAN LIVING TRUST - Request for a Special Use Permit FOR AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND A PROPOSED AUTO REPAIR GARAGE, MINOR, located at 4401 Stewart Avenue (APN: 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 104.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3131 - RUBI VALBUENA ON BEHALF OF ANER IGLESIAS TRUST 1997, ET AL - Request for a Special Use Permit FOR A PROPOSED 450 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED located at 840 North Decatur Boulevard, Suite B (APN: 139-30-301-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 105.ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3152 - REAGAN NATIONAL ADVERTISING ON BEHALF OF NORIKO TAKADA OBA QUALIFIED TRUST - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5300 West Sahara Avenue (APN: 163-01-804-006), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL
- 106.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3254 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST - Request for a Special Use Permit and a Waiver of Title 18.12.160 (Street Intersection Offset Requirements) FOR A PRIVATE STREET WITHIN A PROPOSED SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 2.13 acres adjacent to the northeast corner of Tenaya Way and O'Bannon Drive, (APN: 163-03-702-005), R-E (Residence Estates) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 107.VACATION RELATED TO SUP-3254 - PUBLIC HEARING - VAC-3255 - INTEGRITY ENGINEERING ON BEHALF OF RONALD REISS FAMILY TRUST - Petition to Vacate U.S. Government Patent Easements generally located north of O'Bannon Drive and east of Tenaya Way, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 108.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3266 - LAMAR OUTDOOR ADVERTISING ON BEHALF OF FOSTER DAY CORPORATION - Appeal filed by Lamar Advertising Company from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 4910 Vegas Drive (APN: 138-24-804-012), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend DENIAL
- 109.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3268 - MAKINO PREMIUM OUTLET LV, LIMITED LIABILITY COMPANY ON BEHALF OF SIMON/CHELSEA LAS VEGAS DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR located at 775 South Grand Central Parkway, Suite 1301 (APN: 139-33-710-001), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 110.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3269 - REAGAN NATIONAL ADVERTISING ON BEHALF OF SDL, INCORPORATED - Appeal filed by Singer & Brown from the Denial by the Planning Commission of a Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located at 1205 East Sahara Avenue (APN: 162-02-401-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL
- 111.SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3277 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Special Use Permit FOR A 24,397 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 112.SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-3277 - PUBLIC HEARING - SDR-3279 - THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS ON BEHALF OF CECIL M. JOHNSON - Request for a Site Development Plan Review FOR A PROPOSED CHURCH/HOUSE OF WORSHIP on 4.86 acres adjacent to the southwest corner of Jones Boulevard and Dorrell Lane (APN: 125-23-601-018 thru 020), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 113.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-2457 - DONNA F. BEAM REVOCABLE TRUST - Request for a Rezoning FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) Zone on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 114.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 - PUBLIC HEARING - SDR-2458 - DONNA F. BEAM REVOCABLE TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED COMMERCIAL BUILDINGS on 3.88 acres adjacent to the northeast and southeast corners of Smoke Ranch Road and Buffalo Drive (APN: 138-15-402-001 and 138-22-101-001) U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 115.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-3031 - THOMAS & JUDITH MILLER - Request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
- 116.ABEYANCE ITEM - VARIANCE RELATED TO ZON-3031 - PUBLIC HEARING - VAR-3040 - THOMAS & JUDITH MILLER - Request for a Variance TO ALLOW 36 PARKING SPACES WHERE 51 SPACES ARE REQUIRED and a Variance TO ALLOW ZERO-FOOT SIDE AND REAR SETBACKS WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 48-FOOT SETBACK FROM RESIDENTIAL PROPERTIES FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL CENTER AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
- 117.ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO ZON-3031 AND VAR-3040 - PUBLIC HEARING - SUP-3038 - THOMAS & JUDITH MILLER - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MINOR on property adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
- 118.ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3031, VAR-3040 AND SUP-3038 - PUBLIC HEARING - SDR-3035 - THOMAS & JUDITH MILLER - Request for a Site Development Plan Review FOR A PROPOSED 6,000 SQUARE-FOOT RETAIL BUILDING AND A PROPOSED 3,000 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR; A WAIVER OF SIDE AND REAR SETBACKS TO ZERO FEET WHERE 20 FEET IS REQUIRED IN THE REAR AND 10 FEET ON THE SIDE; A REDUCTION IN THE AMOUNT OF PERIMETER BUFFERING AND LANDSCAPING, PARKING LOT LANDSCAPING, AND A WAIVER OF A NUMBER OF COMMERCIAL DESIGN GUIDELINES on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
- 119.ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-3138 - CITATION HOMES ON BEHALF OF CARL W. & RUTH HEAVIN AND DESERT MOBILE HOME PARK, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-MHP (Residential Mobile Home Park) TO: R-CL (Single-Family Compact-Lot) on 2.46 acres located adjacent to the north side of East Van Buren Avenue, approximately 960 feet east of Lamb Boulevard (APN: 140-29-101-005 and a portion of 140-29-101-002), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
- 120.REZONING - PUBLIC HEARING - ZON-3143 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on 1.20 acres located at 1616 South Decatur Boulevard (APN: 163-01-602-004), Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
- 121.SPECIAL USE PERMIT RELATED TO ZON-3143 - PUBLIC HEARING - SUP-3144 - DRIVE TIME AUTOMOTIVE GROUP ON BEHALF OF FREMONT WEST, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR MOTOR VEHICLE SALES (USED) AND FOR AUTO REPAIR GARAGE, MINOR on property located at 1616 South Decatur Boulevard (APN: 163-01-602-004), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Moncrief). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

122. REZONING - PUBLIC HEARING - ZON-3219 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
123. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3219 - PUBLIC HEARING - SDR-3220 - TANEY ENGINEERING ON BEHALF OF RICHARD & SHERIE KOCH LIVING TRUST - Request for a Site Development Plan Review FOR A PROPOSED 15-LOT RESIDENTIAL DEVELOPMENT on 5.03 acres adjacent to the south side of Mello Avenue, approximately 615 feet east of Jones Boulevard (APN: 125-24-302-005), R-E (Residence Estates) Zone PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL
124. REZONING - PUBLIC HEARING - ZON-3256 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS - Request for a Rezoning FROM: C-2 (General Commercial) and R-3 (Medium Density Residential) TO: C-V (Civic) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
125. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3256 - PUBLIC HEARING - SDR-3257 - THE NEON MUSEUM ON BEHALF OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review for a proposed Museum (The Neon Museum) on 1.79 acres adjacent to the west side of Encanto Drive, north and south of McWilliams Avenue (APN: 139-27-812-039, 040, and 043), C-2 (General Commercial) Zone and R-3 (Medium Density Residential) Zone, [PROPOSED: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
126. REZONING - PUBLIC HEARING - ZON-3259 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-2 (General Commercial) on 0.51 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-049, 050, and 051), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
127. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3259 - PUBLIC HEARING - SDR-3261 - WESTERN U.S. REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF CHARLESTON TOWER, LIMITED LIABILITY COMPANY AND LEBARON HOTEL, INC. - Request for a Site Development Plan Review and Waivers OF THE PERIMETER BUFFERING AND LANDSCAPING STANDARDS AND TO ALLOW AN EIGHT-FOOT FRONT YARD SETBACK WHERE A 20-FOOT SETBACK IS REQUIRED FOR AN EXISTING OFFICE BUILDING AND A PROPOSED THREE-STORY, 62,674 SQUARE-FOOT PARKING STRUCTURE WITH GROUND FLOOR COMMERCIAL on 0.90 acres adjacent to the northwest corner of 8th Street and Bridger Avenue (APN: 139-34-710-037, 049, 050, and 051), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
128. VACATION RELATED TO ZON-3259 AND SDR-3261 - PUBLIC HEARING - VAC-3056 - WESTERN US REALTY, LIMITED LIABILITY COMPANY ON BEHALF OF LEBARON HOTEL INC. - Petition to Vacate a twenty-foot (20') wide public alley adjacent to the north side of Bridger Avenue, between 7th Street and 8th Street, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL
129. REZONING - PUBLIC HEARING - ZON-3276 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: R-PD11 (Residential Planned Development - 11 Units Per Acre) on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

130. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3276 - PUBLIC HEARING - SDR-3278 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 8.32 acres between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development – 11 Units per Acre)] Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
131. WAIVER OF TITLE 18 RELATED TO ZON-3276 AND SDR-3278 - PUBLIC HEARING - WVR-3355 - SIGNATURE HOMES ON BEHALF OF DERMODY PROPERTIES - Request for a Waiver of Title 18.12.160 TO ALLOW A 150-FOOT SEPARATION BETWEEN INTERSECTIONS, WHERE A MINIMUM OF 220 FEET IS REQUIRED WHEN PROVIDING EXTERNAL ACCESS FROM A SUBDIVISION TO AN EXISTING STREET HAVING A RIGHT-OF-WAY WIDTH OF 60 FEET OR MORE, and a Waiver of Title 18.12.105 TO ALLOW A 470-FOOT LONG PRIVATE STREET WHERE 200 FEET IS THE MAXIMUM LENGTH ALLOWED, between Martin L. King Boulevard and Shadow Lane, approximately 1,250 feet north of Alta Drive (APN: 139-33-102-020), Ward 5 (Weekly). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
132. 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:

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

Exhibit "B"

(Attach Affidavit of Publication of Notice of Public Hearing)

RECEIVED
CITY CLERK
2004 FEB 11 A 11:16

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
3155730

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 3 .
edition(s) of said newspaper issued from 01/19/2004 to 02/02/2004, on
the following days: JAN. 19, 26, FEB. 2, 2004

Signed: _____

Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

6

day of February 2004

Mary B. Sheffield

Notary Public

PLEASE SEE ATTACHED

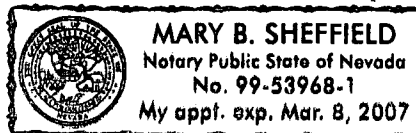


Exhibit "C"

(Attach minutes of public hearing on February 4, 2004)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 4, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Public hearing on local improvement district regarding: Special Improvement District No. 1472
- Durango Drive (Lone Mountain Road to Tropical Parkway) (\$168,901.24 - Capital Projects
Fund - Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$168,901.24

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special
Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the installation of pavement, curb, gutter, sidewalk, driveways, streetlights, and sewer laterals. This district will be paid every 6 months over a 10 year period.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Notice of Hearing

MOTION:

None required. Public Hearing held

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD GOECKE, Director, Public Works Department, explained that the total project costs amounted to \$4,064,248.35 with total assessments of \$169,901.24. The item was in order.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(1:28 – 1:29)

2-732

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

AFFIDAVIT OF MAILING
NOTICE OF HEARING

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

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

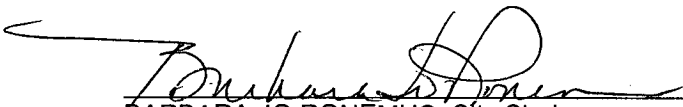
2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1472 – DURANGO DRIVE (LONE MOUNTAIN ROAD TO TROPICAL PARKWAY)" 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 15, 2004, being at least twenty (20) days prior to the hearing, on February 4, 2004 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 "Final 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 Feb 24 2004.

My commission expires July 10, 2006. --

Notary Public-State Of Nevada
COUNTY OF CLARK
BEVERLY K. BRIDGES
My Appointment Expires
July 10, 2005
No. 93-4081-1
(NOTARIAL STAMP)

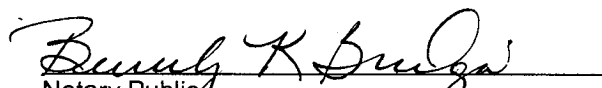

Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
**** ASSESSMENT ROLL ****
 Special Improvement District No. 1472
 DURANGO DR – LONE MOUNTAIN ROAD TO TROPICAL PARKWAY
 Clark County

FINAL ASSESSMENT ROLL NO. 2004-3

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-33-201-001	DOC: 19890929:01440 DATE: 09/29/89 PT SEC 33 19 60 PARCEL MAP FILE 59 PAGE 38 LOT 1	BRATTON, STEVEN LEE & KAE LYN 8351 W HAMMER LN LAS VEGAS NV 89149-4606	226030.00	16056.00	14817.64
125-33-201-007	DOC: 20010412:00242 DATE: 04/12/01 PT SEC 33 19 60 PARCEL MAP FILE 59 PAGE 38 PT LOT 4	BRACAMONTE, JERI 5331 N DURANGO DR LAS VEGAS NV 89149-4064	222710.00	8900.00	7499.88
125-33-201-010	DOC: 20021108:02605 DATE: 11/08/02 PT SEC 33 19 60 PARCEL MAP FILE 60 PAGE 79 LOT 1	ALBRECHT, RICKY C MARTIN-ALBRECHT RHONDA K 5321 N DURANGO DR LAS VEGAS NV 89149-4064	267140.00	8915.00	7506.96
125-33-201-013	DOC: 20030929:03258 DATE: 09/29/03 PT SEC 33 19 60 PARCEL MAP FILE 60 PAGE 79 LOT 2	DAHLEN, JOYCE 7500 W LAKE MEAD BLVD #A-18 LAS VEGAS NV 89128-0297	242000.00	16045.00	14948.17
125-33-204-001	DOC: 19970514:01183 DATE: 05/14/97 PT SEC 33 19 60 PARCEL MAP FILE 65 PAGE 19 LOT 1	BRIERLEY BILL & EILEEN TRUST BRIERLEY BILL & EILEEN TRS 8351 FISHER AVE LAS VEGAS NV 89149-4610	269290.00	8720.00	7645.25

City of Las Vegas
**** ASSESSMENT ROLL ****
 Special Improvement District No. 1472
 DURANGO DR – LONE MOUNTAIN ROAD TO TROPICAL PARKWAY
 Clark County

FINAL ASSESSMENT ROLL NO. 2004-3

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-33-204-007	DOC: 20020607:02151 DATE: 06/07/02 PT SEC 33 19 60 PARCEL MAP FILE 65 PAGE 19 LOT 4	CHRISTOPHER PAUL M LIVING TRUST CHRISTOPHER PAUL TRS 5231 N DURANGO DR LAS VEGAS NV 89149-4062	235740.00	10415.00	4522.53
125-33-204-009	DOC: 19990127:01726 DATE: 01/27/99 PT SEC 33 19 60 PARCEL MAP FILE 65 PAGE 17 LOT 1	SMITH, VICKI J 5221 N DURANGO DR LAS VEGAS NV 89149-4062	303830.00	10480.00	6790.42
125-33-204-013	DOC: 19900827:00256 DATE: 08/27/90 PT SEC 33 19 60 PARCEL MAP FILE 65 PAGE 17 LOT 2	LUNA, RALPH JUDE & JACKIE SUE 5211 N DURANGO DR LAS VEGAS NV 89149-4062	239110.00	11069.00	7233.01
125-33-204-015	DOC: 19911030:00680 DATE: 10/30/91 PT SEC 33 19 60 PARCEL MAP FILE 65 PAGE 17 LOT 3	TRISCHLER, MARK R & DEBORAH A 5201 N DURANGO DR LAS VEGAS NV 89149-4062	242090.00	9392.00	8160.19
125-33-301-001	DOC: 20030515:03814 DATE: 05/15/03 PT SEC 33 19 60 LAND DIVISION 683:642500 LOT 4	COLEMAN-TOLL, L P %G MAYO 1635 VILLAGE CENTER CIR #100 LAS VEGAS NV 89134-6375	441000.00	124361.00	89777.19

**** REPORT TOTALS 168901.24**

Date: 12/24/03

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EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1472 - DURANGO DRIVE (LONE MOUNTAIN ROAD TO TROPICAL PARKWAY).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2004-3 for City of Las Vegas, Nevada, Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 7, 2004, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1472 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

DURANGO DRIVE (EAST SIDE) - from the centerline of La Madre Way northerly along Durango Drive to the centerline of Hammer Lane. (100-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of 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 assessments will be levied on a front foot basis, provided 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 streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb and gutter, sidewalks, driveway approaches and streetlights, where not already existing. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. 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.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 4, 2004, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, January 30, 2004, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the

correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (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 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City Council shall by resolution provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) 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 three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) per month on the unpaid balance of the assessment and accrued interest, or at any higher rate authorized by statute) shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, 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. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than Friday, January 30, 2004, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 7, 2004.


BARBARA JO RONEMUS, City Clerk