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RESOLUTION NO. R-24-2015

A RESOLUTION APPROVING THE FORM OF A COOPERATIVE AGREEMENT BETWEEN THE CITY AND THE STATE OF NEVADA DEPARTMENT OF TAXATION, AND PROVIDING REPEALER AND SEVERABILITY CLAUSES.

WHEREAS, on December 3, 2014, the City Council (the "City Council") of the City of Las Vegas, Nevada (the "City") adopted Resolution (the "Public Hearing Resolution"), which called a hearing for the purposes of considering (i) making the findings specified in Subsections 2, 3 and 5 of Nevada Revised Statutes ("NRS") 271A.080, and (ii) approving the use of monies pursuant to paragraph (a) of Subsection 3 of NRS 360.855; and

WHEREAS, prior to adoption of Public Hearing Resolution, the following information was filed with the City Clerk of the City (the "City Clerk"):

(a) the report entitled "An Assessment of the Proposed Symphony Park Tourism Improvement District in Las Vegas, NV" prepared by Civitas and Tourism Economics, dated November 20, 2014 (the "Report") which is a report of an independent consultant addressing the fiscal effect of the project proposed for the District (as defined below) and the financing thereof under Chapter 271A of NRS on the provision of local governmental services as required in Subsection 3 of NRS 271A.080 (collectively, the "Filed Information"); and

WHEREAS, the Filed Information was provided to the Board of County Commissioners of Clark County; and

WHEREAS, the Board of Trustees of the Clark County School District (the "School Board") and the Board of County Commissioners of Clark County (the "Board of County Commissioners") conducted public hearings and the School Board and the Board of County Commissioners have provided comments to the City Council; and

WHEREAS, on February 5, 2015, the City Council held a public hearing and adopted a resolution (the "Findings Resolution"), wherein the City Council made certain written findings and determinations pursuant to NRS 271A.080(2), (3) and (5) (the "Fiscal Effect Finding") and NRS 360.855(3) relating to the proposed "City of Las Vegas, Nevada Tourism Improvement District (Symphony Park)" (the "District"); and

WHEREAS, in making the Fiscal Effect Finding, the City Council considered the comments received from the Board of County Commissioners; and

WHEREAS, the City staff provided notice and materials required by NRS 271A.080(7) and (8) and NRS 360.855(3) to the Nevada Commission on Tourism; and

WHEREAS, pursuant to a resolution adopted on March 16, 2015, the Nevada Commission on Tourism made the determination pursuant to NRS 271A.080(6) with respect to the District and the proposed project (the "Project") to be located in the District as further described in the Report and approved the use of the use of money received pursuant to subsection 1 of NRS 360.855; and

WHEREAS, having met all of the prerequisites to creation of the District pursuant to NRS 271A.080, the City Council adopted an Ordinance on April 15, 2015 creating the District (the "Creation Ordinance"); and

WHEREAS, the City has negotiated with the State of Nevada Department of Taxation the terms of an agreement specifying the dates and procedure for distribution to the City of any money pledged pursuant to Section 6 of the Creation Ordinance;

WHEREAS, the proposed form of a City of Las Vegas, Nevada Tourism Improvement District (Symphony Park) Cooperative Agreement (the "Cooperative Agreement") by and between the City and the State of Nevada Department of Taxation is attached hereto as Exhibit I.

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

Section 1. The form, terms and provisions of the Cooperative Agreement are hereby approved, and the City shall enter into and perform its obligations under the Cooperative Agreement in substantially the form attached hereto as Exhibit I, with only such changes therein as are required by the circumstances and which are not inconsistent herewith. The officers of the City are hereby authorized and directed to execute and deliver the Cooperative Agreement as required hereby.

Section 2. All resolutions, or parts thereof, in conflict with the provisions of this resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, previously repealed.

Section 3. If any section, paragraph, clause or other 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 other provision shall not affect any of the remaining provisions of this resolution.

PASSED, ADOPTED AND APPROVED this May 20, 2015.

(SEAL)


Carolyn G. Goodman, Mayor

Attest:


LuAnn D. Holmes, MMC, Acting City Clerk

Approved as to form:

 5-20-15
City Attorney or Chief Deputy City Attorney

EXHIBIT A TO RESOLUTION

(Attach Copy of Notice of Meeting)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 495 SOUTH MAIN STREET · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

COUNCIL MEMBERS: CAROLYN G. GOODMAN, MAYOR (At-Large)

COUNCILMAN STEVEN D. ROSS, MAYOR PRO TEM (Ward 6)

LOIS TARKANIAN (Ward 1), RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)

BOB COFFIN (Ward 3), BOB BEERS (Ward 2)

Facilities are provided throughout City Hall for 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. Dial 7-1-1 for Relay Nevada.

May 20, 2015

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM LUANN D. HOLMES, ACTING CITY CLERK, AT THE CITY CLERK'S OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. CLOSED CAPTIONING IS SPONSORED THIS MONTH BY THE DOWNTOWN LAS VEGAS ALLIANCE. PLEASE NOTE CUSTOMERS OF CENTURYLINK CAN VIEW THIS PROGRAM IN HIGH DEFINITION ON CHANNEL 1002, AND SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.lasvegasnevada.gov. 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.

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION - REVEREND IAN RIDDELL, THE UNITARIAN UNIVERSALIST CONGREGATION OF LAS VEGAS
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH

6. PRESENTATION OF THE STAR AWARD FOR OUTSTANDING COURT PROGRAM OF THE YEAR
7. RECOGNITION OF HISTORIC PRESERVATION MONTH
8. RECOGNITION OF PLANNING COMMISSIONER RICHARD BONAR
9. RECOGNITION OF THE ROGICH MIDDLE SCHOOL CHEERLEADERS
10. RECOGNITION OF THE LAS VEGAS ACADEMY JAZZ BAND
11. RECOGNITION OF THE ALPHA KAPPA ALPHA SORORITY INC.
12. RECOGNITION OF MONIQUE HARRIS FOR HER COMMUNITY EFFORTS
13. RECOGNITION OF THE RTC'S STAND UP FOR TRANSPORTATION PROGRAM

BUSINESS ITEMS - MORNING

PUBLIC COMMENT

14. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

BUSINESS ITEMS

15. For Possible Action - Any items that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time
16. For possible action to approve the Final Minutes by reference of the April 15, 2015 Regular City Council Meeting

CONSENT AGENDA

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

CITY ATTORNEY - CONSENT

17. For possible action to approve a business impact statement regarding a proposed ordinance that would include a Federal fingerprint check in suitability approval investigations pertaining to smoke shops. (This item is related to Bill No. 2015-26, which is located later on this agenda under New Bills)
18. For possible action to approve a business impact statement regarding a proposed ordinance that would repeal and replace LVMC Chapter 12.02, pertaining to special events, and make corresponding adjustments to Title 6 alcoholic beverage regulations. (This item is related to Bill No. 2015-27, which is located later on this agenda under New Bills)

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

19. For possible action to approve an Operating, Maintenance and Promotional Activities Agreement between Fremont East Downtown Entertainment District Owners Corporation (FEED) and the City of Las Vegas for the provisions of professional services for the operation, maintenance and promotional activities for the Fremont East Downtown Entertainment District (District) - Ward 3 (Coffin)

FINANCE - PURCHASING & CONTRACTS CONSENT

20. For possible action to approve award of Contract No. 150182-TF, Blanket Services Contract for Special Inspection and Construction Testing Consulting Services - Department of Public Works - Award recommended to: NINYO & MOORE GEOTECHNICAL CONSULTANTS (Not-to-Exceed \$200,000 - Various Funds) - All Wards
21. For possible action to approve award of Contract No. 150191-TB, Prime Design Services Contract for a Multi-Modal Connection between Downtown and Symphony Park located between Bridger Avenue and Main Street intersection and Symphony Park - Department of Public Works - Award recommended to: CA GROUP, INC. (\$697,931 - Road and Flood Capital Projects Fund) - Ward 5 (Barlow)
22. For possible action to approve award of Task Order Contract No. 140211-TB, Water Pollution Control Facility (WPCF) On-Line Training located at 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: 360WATER, INC. (Not-to-Exceed \$325,000 - Sanitation Enterprise Fund) - County

OPERATIONS AND MAINTENANCE - CONSENT

23. For possible action to approve Angel Park Capital Improvement Agreement 10 between the City of Las Vegas and Angel Park Golf, LLC for various capital improvement needs at the Angel Park Golf Course, 100 South Rampart Boulevard. (\$121,955 - Municipal Golf Course Enterprise Fund) - Ward 2 (Beers)
24. For possible action to approve a Lease Agreement between Kin Yan Cheung and the City of Las Vegas (City) allowing the City to lease approximately 1,600 square feet of office space located at 617 7th Street (\$1,500 per month - Sanitation Enterprise Fund) - Ward 3 (Coffin)

PLANNING - BUSINESS LICENSING CONSENT

25. ABEYANCE ITEM - For possible action to approve a New Restricted Gaming License NEVADA RESTAURANT SERVICES, INC. db at DOTTY'S #110 at 10000 West Sahara Avenue, Suite #100 - Ward 2 (Beers)
26. For possible action to approve a New Tavern-Limited License SLICE LV, LLC dba ITSY BITSY at 150 North Las Vegas Boulevard, Suite #100 - Ward 3 (Coffin)
27. For possible action to approve a New Tavern License PIZZA ROCK II LV, LLC dba LITTLE TONY'S at 2411 West Sahara Avenue - Ward 1 (Tarkanian)
28. For possible action to approve a New Tavern-Limited License GLUTTON LV, LLC dba GLUFTON at 616 East Carson Avenue, Suite #110 - Ward 3 (Coffin)
29. For possible action to approve a Temporary Tavern-Limited License VIVA LAS VEGAN, LLC dba VEGETATION at 616 East Carson Avenue, Suite #120 - Ward 3 (Coffin)
30. For possible action to approve a New Package Liquor License WALGREEN CO dba WALGREENS #12271 at 2427 South Las Vegas Boulevard - Ward 3 (Coffin)
31. For possible action to approve a Temporary Package Liquor License BODEGA LATINA CORPORATION dba EL SUPER at 4610 West Sahara Avenue - Ward 1 (Tarkanian)
32. For possible action to approve a Temporary Beer Wine Room License PRB II, LLC dba SOCIAL BISTRO & WINE BAR at 410 South Rampart Boulevard, Suite #120 - Ward 2 (Beers)
33. For possible action to approve a New Beer/Wine/Cooler On-Sale License THE CHAPEL LLC dba CHAPEL OF THE FLOWERS at 1717 South Las Vegas Boulevard - Ward 3 (Coffin)
34. For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: 7 ELEVEN OF NEVADA, INC. TO: R&K TRADING CORP. dba 7 ELEVEN FOOD STORE #13694C at 4800 West Washington Avenue [Deshvir Singh, Pres/Sec/Treas/Dir] - Ward 5 (Barlow)

35. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License HELEN MENEGAKIS dba MYKONOS GREEK CUISINE at 9320 Sun City Boulevard, Suite #101 [Helen Menegakis, Owner] - Ward 4 (Anthony)
36. For possible action to approve a New Restricted Gaming License BKS NEVADA, LLC dba CITY BAR at 1000 East Sahara Avenue, Suite #105 [Bradley Stegman, Managing Member] - Ward 3 (Coffin)
37. For possible action to approve an Ancillary Massage Establishment License LIVING WELL CHIROPRACTIC, LLC dba LIVING WELL CHIROPRACTIC at 10300 West Charleston Boulevard, Suite #10, [Cheryle Pettigrew, Managing Manager] - Ward 2 (Beers)
38. For possible action to approve an Ancillary Massage Establishment License RENAISSANCE HEALTH CENTRE, LLC dba RENAISSANCE HEALTH CENTRE, LLC at 2820 West Charleston Boulevard, Suite A6, [Terry G. Pfau, Managing Member] - Ward 1 (Tarkanian)
39. For possible action to approve a New Pistol Permit License, EZPAWN NEVADA, INC dba EZPAWN at 7077 West Craig Road - Ward 4 (Anthony)

PUBLIC WORKS - CONSENT

40. For possible action to approve Supplemental Interlocal Contract No. 1 - 844a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease total project funding in the amount of \$950,000 for Rancho Drive/Decatur Boulevard Intersection Improvements - Ward 5 (Barlow)
41. For possible action to approve Interlocal Contract - 850 and Interlocal Contract - 851 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for Oakey Boulevard/Wyoming Avenue, Rainbow Boulevard to Industrial Road (\$3,000,000 - Road and Flood Project Fund [CPF]) - Wards 1 and 3 (Tarkanian and Coffin)
42. For possible action to approve Fourth Supplemental Interlocal Contract - 462d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease total project funding in the amount of \$38,000 for Sheep Mountain Parkway Corridor Study in Northwest Las Vegas from the CC215 Beltway to Decatur Boulevard - Ward 6 (Ross)
43. For possible action to approve Supplemental Interlocal Contract No. 2 - 757b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease total project funding in the amount of \$1,050,000 for Arterial Reconstruction Program - Package 1, these alignments include Decatur Boulevard, Eastern Avenue and Lake Mead Boulevard - Wards 1, 2, 3, 4 and 5 (Tarkanian, Beers, Coffin, Anthony and Barlow)
44. For possible action to approve Interlocal Contract - 852 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for Entity Right-of-Way Acquisitions (\$3,310,000 - Road and Flood Project Fund [CPF]) - Wards 1, 3 and 5 (Tarkanian, Coffin and Barlow)
45. For possible action to approve an Interlocal Agreement among the City of Henderson, City of Las Vegas, City of North Las Vegas, Clark County, Clark County Regional Flood Control District, Clark County Water Reclamation District and the Southern Nevada Water Authority to establish funding allocations and the budget for Las Vegas Wash activities in fiscal year 2015/2016 (\$65,079 - Sanitation Enterprise Fund [EF]) - County

RESOLUTIONS - CONSENT

46. R-23-2015 - ABEYANCE ITEM - For possible action to approve a Resolution regarding the Reimbursement Agreement between the City of Las Vegas (City) and City Parkway V, Inc., (CPV) a Nevada non-profit corporation, authorizing the execution of the Reimbursement Agreement; and providing for other matters relating thereto regarding the City of Las Vegas Nevada Tourism Improvement District identified as Symphony Park, within the area bounded by parcels on the southwest corner of Bonneville Avenue and Grand Central Parkway as well as the area bounded by Grand Central Parkway on the west and north, the Union Pacific Railroad tracks on the east and Bonneville Avenue on the south - Ward 5 (Barlow)

47. R-24-2015 - ABEYANCE ITEM - For possible action to approve a Resolution approving the form of a Cooperative Agreement between the City of Las Vegas and the State of Nevada Department of Taxation, and providing repealer and severability clauses for the City of Las Vegas Nevada Tourism Improvement District identified as Symphony Park, within the area bounded by parcels on the southwest corner of Bonneville Avenue and Grand Central Parkway as well as the area bounded by Grand Central Parkway on the west and north, the Union Pacific Railroad tracks on the east and Bonneville Avenue on the south - Ward 5 (Barlow)
48. R-25-2015 - ABEYANCE ITEM - For possible action to approve a Resolution regarding the Reimbursement to the City of Las Vegas from proceeds of obligations not to exceed \$45,000,000 to be issued for the purpose of financing certain costs pertaining to acquiring, constructing, improving or equipping projects ("the Project") located in Symphony Park Tourism Improvement District (TID) and other matters relating thereto, identified as within the area bounded by parcels on the southwest corner of Bonneville Avenue and Grand Central Parkway as well as the area bounded by Grand Central Parkway on the west and north, the Union Pacific Railroad tracks on the east and Bonneville Avenue on the south - Ward 5 (Barlow)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

49. Discussion for possible action regarding a market rate adjustment for the position of City Manager for the City of Las Vegas (Estimated at \$38,509 - General Fund)

PLANNING - BUSINESS LICENSING DISCUSSION

50. Discussion for possible action to review and reinstate the Non-Operational Non-Profit Club General License, AMERICAN LEGION POST #10, INC. dba AMERICAN LEGION POST #10 at 1905 "H" Street - Ward 5 (Barlow)

PUBLIC WORKS - DISCUSSION

51. Public hearing and discussion for possible action regarding the Clark County Regional Flood Control District's (CCRFC) Master Plan Amendment (MPA) which provides the most cost-effective structural and regulatory means of protecting structures from floodwaters of the district, and to address recent revisions to the roadway network of the Kyle Canyon Master Planned Community (KCMPC) bounded by Grand Teton Drive to the south, Puli Road to the west, Fort Apache Road to the east, and Moccasin Avenue to the north - Ward 6 (Ross)

BOARDS & COMMISSIONS - DISCUSSION

52. For Possible Action - SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY - Marco Rauda, Term Expiration 9-7-2015 - Resigned
53. For Possible Action - PLANNING COMMISSION - Richard P. Bonar, Term Expiration 6-2017 - Resigned
54. Discussion for possible action on appointments of Council members to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

55. Bill No. 2015-21 - For Possible Action - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2016) Proposed by: David N. Bowers, Director of Public Works
56. Bill No. 2015-22 - For Possible Action - Levies Assessment for Special Improvement District No. 1516 - Fremont Street Maintenance District FY2016 (Las Vegas Boulevard to 8th Street) Proposed by: David N. Bowers, Director of Public Works
57. Bill No. 2015-25 - For Possible Action - Annexation No. ANX-57905 - Property location: located at 3316 Valley Lane; Petitioned by: Hafen I, LLC; Acreage: 0.55 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Ricki Y. Barlow

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.

- 58. Bill No. 2015-23 - Amends the Unified Development Code to update the definition of the term "secondhand dealer" to be consistent with licensing regulations. Sponsored by: Councilman Bob Coffin
- 59. Bill No. 2015-24 - Amends the Lone Mountain Master Development Plan and Design Standards to provide clarification regarding the treatment of certain commercial uses, as well as consistency with Title 19. Proposed by: Tom Perrigo, Acting Director of Planning

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.

- 60. Bill No. 2015-26 - Includes a Federal fingerprint check in suitability approval investigations pertaining to smoke shops. Sponsored by: Councilman Steven D. Ross
- 61. Bill No. 2015-27 - Repeals and replaces LVMC Chapter 12.02, pertaining to special events, and makes corresponding adjustments to Title 6 alcoholic beverage regulations. Proposed by: Ted Olivas, Chief of Staff

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

- 62. 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

PLANNING

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 - 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.

- 63. EOT-58598 - EXTENSION OF TIME - VARIANCE - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: T H M ENTERPRISES, INC. - For possible action on a request for an Extension of Time of an approved Variance (VAR-47607) TO ALLOW SIX-FOOT PERIMETER RETAINING WALLS WHERE 3.5 FEET IS THE MAXIMUM ALLOWED on 55 gross acres at the southeast corner of Lone Mountain Road and Puli Road (APNs 137-01-101-001, 009, 010 and 011; 137-01-201-001, 002, 003, 011 and 012; and 137-01-301-001 and 002), PD (Planned Development) Zone [L (Low Density Residential) ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation)], Ward 4 (Anthony). Staff recommends APPROVAL.

64. EOT-58601 - EXTENSION OF TIME - VARIANCE - APPLICANT: TOUCHSTONE LIVING, INC. - OWNER: T H M ENTERPRISES, INC. - For possible action on a request for an Extension of Time of an approved Variance (VAR-47609) TO ALLOW 40-FOOT WIDE PRIVATE STREETS WITH NO SIDEWALKS WHERE 47-FOOT WIDE STREETS WITH SIDEWALKS AND AMENITY ZONES ON BOTH SIDES ARE REQUIRED on 55 gross acres at the southeast corner of Lone Mountain Road and Puli Road (APNs 137-01-101-001, 009, 010 and 011; 137-01-201-001, 002, 003, 011 and 012; and 137-01-301-001 and 002), PD (Planned Development) Zone [L (Low Density Residential) ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation)], Ward 4 (Anthony). Staff recommends APPROVAL.

PLANNING - ONE MOTION/ONE VOTE

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

65. RQR-57925 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - For possible action on a request for a Required Review of an approved Variance (V-0058-94) TO ALLOW A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN 600 FEET FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS THE MINIMUM SEPARATION REQUIRED at 2900 Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.
66. RQR-57931 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: OUTFRONT MEDIA - OWNER: MICHELLE ARCHIARDI - For possible action on a request for a Required Review of an approved Special Use Permit (U-0025-96) FOR AN EXISTING 40-FOOT TALL, 14-FOOT BY 24-FOOT OFF-PREMISE SIGN adjacent to the west side of Rancho Drive, approximately 250 feet south of Alexander Road (APN 138-02-803-001), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.
67. SUP-57969 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: AMC THEATERS, INC. - OWNER: 2199 NORTH RAINBOW BOULEVARD HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 49,827 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITHIN AN EXISTING COMMERCIAL RECREATION/AMUSEMENT (INDOOR) [MOVIE THEATER] at 2321 North Rainbow Boulevard (APN 138-22-503-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow) [PRJ-57785]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

PLANNING - DISCUSSION

68. GPA-57590 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: D R HORTON - OWNER: 303 COTTON, LLC, ET AL - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 20.0 acres at the northeast corner of Elkhorn Road and Hualapai Way (APNs 125-18-401-001, 002, 009 and 010), Ward 6 (Ross) [PRJ-57289]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.
69. ZON-57591 - REZONING RELATED TO GPA-57590 - PUBLIC HEARING - APPLICANT: D R HORTON - OWNER: 303 COTTON, LLC, ET AL - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 20.0 acres at the northeast corner of Elkhorn Road and Hualapai Way (APNs 125-18-401-001, 002, 009 and 010), Ward 6 (Ross) [PRJ-57289]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.
70. GPA-58134 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: SUMMERLIN MEMORY CARE, LLLP - For possible action on a request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: ML (MEDIUM LOW DENSITY RESIDENTIAL) on 2.63 acres at 7395 Smoke Ranch Road (APN 138-22-102-004), N-S (Neighborhood Service) Zone, Ward 4 (Anthony) [PRJ-58019]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

71. ZON-58138 - REZONING RELATED TO GPA-58134 - PUBLIC HEARING - APPLICANT/OWNER: SUMMERLIN MEMORY CARE, LLLP - For possible action on a request for a Rezoning FROM: N-S (NEIGHBORHOOD SERVICE) TO: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) on 2.63 acres at 7395 Smoke Ranch Road (APN 138-22-102-004), N-S (Neighborhood Service) Zone, Ward 4 (Anthony) [PRJ-58019]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
72. SUP-58139 - SPECIAL USE PERMIT RELATED TO GPA-58134 AND ZON-58138 - PUBLIC HEARING - APPLICANT/OWNER: SUMMERLIN MEMORY CARE, LLLP - For possible action on a request for a Special Use Permit FOR A PROPOSED 80-BED CONVALESCENT CARE FACILITY/NURSING HOME at 7395 Smoke Ranch Road (APN 138-22-102-004), N-S (Neighborhood Service) Zone [PROPOSED: R-2 (Medium-Low Density Residential)], Ward 4 (Anthony) [PRJ-58019]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
73. SDR-58140 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-58134, ZON-58138 AND SUP-58139 - PUBLIC HEARING - APPLICANT/OWNER: SUMMERLIN MEMORY CARE, LLLP - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 36,333 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE NORTHERN PERIMETER OF THE PROPERTY WHERE EIGHT FEET IS REQUIRED on 2.63 acres at 7395 Smoke Ranch Road (APN 138-22-102-004), N-S (Neighborhood Service) Zone [PROPOSED: R-2 (Medium-Low Density Residential)], Ward 4 (Anthony) [PRJ-58019]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
74. GPA-58144 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: THOMAS LOZZI AND VALARIE ADAIR - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.82 acres located at 5620 North Rainbow Boulevard (APN 125-26-410-007), Ward 6 (Ross) [PRJ-58037]. The Planning Commission (5-1-1 vote) and Staff recommend APPROVAL.
75. ZON-58146 - REZONING RELATED TO GPA-58144 - PUBLIC HEARING - APPLICANT/OWNER: THOMAS LOZZI AND VALARIE ADAIR - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.82 acres located at 5620 North Rainbow Boulevard (APN 125-26-410-007), Ward 6 (Ross) [PRJ-58037]. The Planning Commission (5-1-1 vote) and Staff recommend APPROVAL.
76. SDR-58147 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-58144 AND ZON-58146 - PUBLIC HEARING - APPLICANT/OWNER: THOMAS LOZZI AND VALARIE ADAIR - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,680 SQUARE-FOOT RESTAURANT WITH DRIVE THROUGH AND GENERAL RETAIL DEVELOPMENT on 0.82 acres located at 5620 North Rainbow Boulevard (APN 125-26-410-007), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 6 (Ross) [PRJ-58037]. The Planning Commission (5-1-1 vote) and Staff recommend APPROVAL.
77. ZON-58154 - REZONING - PUBLIC HEARING - APPLICANT: RYLAND HOMES - OWNER: S I C NEVADA ONE, LLC, ET AL - For possible action on a request for a Rezoning FROM: PD (PLANNED DEVELOPMENT) TO: R-CL (SINGLE FAMILY COMPACT-LOT) on 10.42 acres at the south side of Deer Springs Way, approximately 285 feet east of Hualapai Way (APNs 125-19-301-002 and 003), Ward 6 (Ross) [PRJ-58111]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
78. VAR-57010 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Variance TO ALLOW NO SIDEWALK ON HICKAM AVENUE AND HELEN AVENUE AND NO GATE ON A PRIVATE STREET WHERE SUCH ARE REQUIRED on 3.47 acres at the northwest corner of Hickam Avenue and Helen Avenue (APNs 138-01-302-002, 003 and 004), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56894]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
79. WVR-57009 - WAIVER RELATED TO VAR-57010 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Waiver TO ALLOW NO SIDEWALKS WHERE FIVE-FOOT WIDE SIDEWALKS ON BOTH SIDES OF THE STREET ARE REQUIRED ON THE PROPOSED PRIVATE 47-FOOT RESIDENTIAL STREET on 3.47 acres at the northwest corner of Hickam Avenue and Helen Avenue (APNs 138-01-302-002, 003 and 004), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56894]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

80. WVR-57212 - WAIVER RELATED TO VAR-57010 AND WVR-57009 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Waiver TO ALLOW NO STREETLIGHTS WHERE SUCH ARE REQUIRED AND A 198-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 3.47 acres at the northwest corner of Hickam Avenue and Helen Avenue (APNs 138-01-302-002, 003 and 004), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56894]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
81. TMP-57007 - TENTATIVE MAP RELATED TO VAR-57010, WVR-57009 AND WVR-57212 - HICKAM AND HELEN - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Tentative Map FOR A SIX-LOT RESIDENTIAL SUBDIVISION on 3.47 acres on the northwest corner of Hickam Avenue and Helen Avenue (APNs 138-01-302-002, 003 and 004), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56894]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
82. VAR-57017 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Variance TO ALLOW NO SIDEWALK ON HICKAM AVENUE AND LEON AVENUE AND NO GATE ON A PRIVATE STREET WHERE SUCH ARE REQUIRED on 4.69 acres at the northwest corner of Hickam Avenue and Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56896]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
83. WVR-57018 - WAIVER RELATED TO VAR-57017 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Waiver TO ALLOW NO SIDEWALKS WHERE FIVE-FOOT WIDE SIDEWALKS ON BOTH SIDES OF THE STREET ARE REQUIRED ON THE PROPOSED PRIVATE 47-FOOT RESIDENTIAL STREET on 4.69 acres at the northwest corner of Hickam Avenue and Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56896]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
84. WVR-57213 - WAIVER RELATED TO VAR-57017 AND WVR-57018 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Waiver TO ALLOW NO STREETLIGHTS WHERE SUCH ARE REQUIRED AND TO ALLOW A 194-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 4.69 acres at the northwest corner of Hickam Avenue and Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56896]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
85. TMP-57025 - TENTATIVE MAP RELATED TO VAR-57017, WVR-57018 AND WVR-57213 - HICKAM AND LEON - PUBLIC HEARING - APPLICANT/OWNER: VEGAS HOMES, LLC - For possible action on a request for a Tentative Map FOR AN EIGHT-LOT RESIDENTIAL SUBDIVISION on 4.69 acres at the northwest corner of Hickam Avenue and Leon Avenue (APN 138-01-301-017), R-E (Residence Estates) Zone, Ward 5 (Barlow) [PRJ-56896]. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
86. VAR-57690 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ZARBOD ZANGANEH - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT DISTANCE SEPARATION FROM THE MAIN DWELLING WHERE SIX FEET IS REQUIRED FOR AN EXISTING ACCESSORY STRUCTURE (CLASS II) [SHED I]; AND A ZERO-FOOT SIDE YARD SETBACK FOR AN EXISTING CARPORT WHERE 15 FEET IS REQUIRED) at 520 Campbell Drive (APN 139-32-311-015), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-57148]. Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL.
87. SUP-58148 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: CHARLOTTE LEE - For possible action on an Appeal filed from the Approval by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED HORSE CORRAL OR STABLE (COMMERCIAL) USE at 5771 West Rosada Way (APN 125-36-302-004), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (6-1 vote) and Staff recommend APPROVAL.
88. SUP-58149 - SPECIAL USE PERMIT RELATED TO SUP-58148 - PUBLIC HEARING - APPLICANT/OWNER: CHARLOTTE LEE - For possible action on an Appeal filed from the Approval by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED ANIMAL KEEPING & HUSBANDRY USE TO ALLOW 60 DOMESTIC ANIMALS (HORSES AND CATTLE) WHERE A MAXIMUM OF 25 DOMESTIC ANIMALS ARE ALLOWED at 5771 West Rosada Way (APN 125-36-302-004), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (6-1 vote) and Staff recommend APPROVAL.

89. SUP-58165 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THREE TWENTY TWO, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 6,562 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 322 Fremont Street (APN 139-34-510-026), C-2 (General Commercial) Zone, Ward 5 (Barlow) [PRJ-57868]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
90. SDR-58166 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-58165 - PUBLIC HEARING - APPLICANT/OWNER: THREE TWENTY TWO, LLC - For possible action on a request for a Site Development Plan Review TO ADD 3,600 SQUARE FEET OF FLOOR AREA TO AN EXISTING 6,300 SQUARE-FOOT COMMERCIAL SPACE WITH FACADE IMPROVEMENTS at 322 Fremont Street (APN 139-34-510-026), C-2 (General Commercial) Zone, Ward 5 (Barlow) [PRJ-57868]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
91. SUP-58173 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOLIDAY HOUSE WINE AND SPIRITS - OWNER: RAINBOW COMMERCIAL, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 2,029 SQUARE-FOOT PACKAGE LIQUOR OFF-SALE ESTABLISHMENT USE at 2300 North Rainbow Boulevard, Suite #101 (APN 138-23-110-041), C-1 (Limited Commercial) Zone, Ward 5 (Barlow) [PRJ-58088]. The Planning Commission (7-0 vote) and Staff recommends APPROVAL.
92. SDR-58164 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: BLUE MARBLE DEVELOPMENT - OWNER: SHIRON DEVELOPMENT, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 261-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF SIX, 35-FOOT TALL, THREE-STORY BUILDINGS AND ACCESSORY CLUBHOUSE WITH A WAIVER TO ALLOW NO SINGLE-STORY STRUCTURES ACTING AS A BUFFER TO THE SINGLE-FAMILY RESIDENTIAL USES TO THE NORTH on a 10.56-acre portion of a 30.25-acre parcel at the northwest corner of Centennial Parkway and Tenaya Way (APN 125-22-401-014), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-58104]. The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL.
93. EOT-58524 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN AND STEPHANY MARTINEZ - For possible action on a request for an Extension of Time of an approved Special Use Permit (SUP-18637) FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.
94. EOT-58525 - EXTENSION OF TIME RELATED TO EOT-58524 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: JUSTEN MARTINEZ - OWNER: DAN AND STEPHANY MARTINEZ - For possible action on a request for an Extension of Time of an approved Site Development Plan Review (SDR-18638) FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETScape REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.
95. ARC-58559 - (DDRC) - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - For possible action on an Appeal from the Denial by the Downtown Design Review Committee on a request for a Sign Design Review FOR A MASTER SIGN PLAN FOR A PROPOSED COMMERCIAL DEVELOPMENT WITH A WAIVER TO ALLOW NO EXPOSED NEON ILLUMINATION WHERE AT LEAST 75 PERCENT NEON ILLUMINATION, ANIMATION OR A COMBINATION OF THESE IS REQUIRED on 0.77 acres at 709-731 South Las Vegas Boulevard (APN 139-34-401-020), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-57677]. The Downtown Design Review Committee (4-0 vote) and Staff recommend DENIAL.
96. ARC-58633 - (DDRC) - PUBLIC HEARING - APPLICANT/OWNER: OSVALDO E. FUMO - For possible action on an Appeal from the Denial by the Downtown Design Review Committee on a request for Signage Design Review FOR THREE EXISTING NON-ILLUMINATED WALL SIGNS AT AN EXISTING OFFICE, OTHER THAN LISTED WITH A WAIVER TO ALLOW NO NEON ILLUMINATION OR ANIMATION WHERE 75 PERCENT IS REQUIRED on 0.16 acres at 601 South Las Vegas Boulevard (APN 139-34-301-010), Ward 3 (Coffin) [PRJ-58209]. The Downtown Design Review Committee (4-0 vote) and Staff recommend DENIAL.

97. ROC-58617 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: ENTERPRISE RENT-A-CAR - OWNER: 4631 WSM, LLC - For possible action on a request for a Review of Condition of an approved Special Use Permit (U-0021-98) TO DELETE CONDITION #3 WHICH STATES, "NO MORE THAN 5 PASSENGER AUTOMOBILES FOR RENTAL PURPOSES SHALL BE LOCATED ON THIS SITE AT ANY ONE TIME" AND TO DELETE CONDITION #4 WHICH STATES, "THE RENTAL VEHICLES SHALL BE STORED IN THE REAR PARKING AREA ONLY" at 3900 North Rancho Drive, Suite #108 (APN 138-12-110-012), C-2 (General Commercial) Zone, Ward 5 (Barlow) [PRJ-58159]. Staff recommends DENIAL.

SET DATE

98. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

CITIZENS PARTICIPATION

99. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

COUNCIL MEMBER RECOGNITION

100. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

EXHIBIT I

(Attach Cooperative Agreement between the City and the Department of Taxation)

**CITY OF LAS VEGAS, NEVADA TOURISM IMPROVEMENT DISTRICT
(SYMPHONY PARK)
COOPERATIVE AGREEMENT**

THIS AGREEMENT is made and entered into this ____ day of _____, 2015, by and between the City of Las Vegas, a municipal corporation of the State of Nevada, the "City," and the State of Nevada Department of Taxation, the "Department," collectively the "Parties."

RECITALS

WHEREAS, the City, through its City Council, and consistent with NRS 271A.070 as enacted by Las Vegas City Council Ordinance No. _____, "City Of Las Vegas, Nevada Tourism Improvement District (Symphony Park) Creation Ordinance" (the "Ordinance") has created a tourism improvement district (the "District") and pledged 75% of the taxes described therein as permitted by Chapter 271A of NRS (the "Taxes") for the purposes of carrying out the acquisition, improvement, equipment, operation and maintenance of the Project within the District as more specifically described in the Ordinance, and the financing of the Project; and

WHEREAS, NRS 271A.100 further provides that any such ordinance must include a provision requiring the City to enter into a contract with the Department to perform all functions incident to the administration or operation of the tax in the City, and the Parties intend that this Agreement serve as the required contract; and

WHEREAS, the City Council adopted the Ordinance creating the tourism improvement district effective April 17, 2015.

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter set forth, the City and the Department agree as follows:

1. The Department shall administer and enforce all provisions of the Ordinance pertaining to the collection of all Taxes provided for in said Ordinance.
2. The City shall notify the Department, substantially in the form attached hereto as Exhibit A, (i) of each business that is located within and collects Taxes generated within the District; and (ii) that such Taxes shall be administered in accordance with this Agreement. The City shall further notify the Department any time such a business closes.
3. The City shall reimburse the Department for the costs of collecting the Taxes. The amount of collection costs to be reimbursed by the City hereunder shall be computed in the manner provided by NRS 271A.070 (1)(c)(1) and 271A.070 (1)(c)(3). Before distributing any revenue to the City pursuant to paragraph 4 below, the Department shall deduct said collection costs from the amount to be distributed.
4. Subject to paragraph 3, above, the Department shall distribute to the City, on a monthly basis, the Taxes described in this Agreement. With each distribution, the Department

shall provide the City Finance Director with a monthly statement setting forth the amount collected and any collection costs deducted by the Department. Distribution shall cease at the end of the fiscal year in which the 20th anniversary of the adoption of the ordinance creating the District occurs, i.e., June 30, 2035.

5. The City agrees that the Department shall have the power to make all necessary rules and regulations and prescribe all necessary forms or other requirements for the purpose of making the administration of the Ordinance effective.

6. The Department shall have all the powers, duties, and responsibilities as provided by the Ordinance and Chapter 372 of the Nevada Revised Statutes and all amendments thereto, and all other State laws pertaining to the collection of sales and use taxes.

7. If any term or provision of this Agreement is deemed to be invalid or unenforceable to any extent, the remainder of this Agreement will not be affected thereby, and each remaining term and provision of this Agreement will be valid and be enforced to the fullest extent permitted by law.

8. No waiver of any breach of any covenant or provision contained herein will be deemed a waiver of any preceding or succeeding breach thereof or of any other covenant or provision contained herein. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act except those of the waiving party, which will be extended by a period of time equal to the period of the delay.

9. This Agreement is binding upon and inures to the benefit of the permitted successors and assigns of the parties hereto. None of these parties shall assign any of the rights or delegate any of the duties of this Agreement without the express written consent of the other party.

10. Except as otherwise expressly provided, this Agreement (including all Exhibits attached hereto) constitutes the entire contract between the Parties hereto and may not be modified except by an instrument in writing signed by the party to be charged.

11. The Parties hereto expressly agree that this Agreement will be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada.

[Remainder of Page Intentionally Left Blank. Signature Page Follows.]

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be duly executed on its behalf by and authorized representative.

THE CITY OF LAS VEGAS

Dated this ____ day of _____, 2015.

(SEAL)

By: _____
Carolyn G. Goodman, Mayor

Attest:

LuAnn D. Holmes, MMC, Acting City Clerk

Approved as to form:

City Attorney or Chief Deputy City Attorney

DEPARTMENT OF TAXATION

By: _____
Executive Director
Nevada Department of Taxation

Dated this ____ day of _____, 2015.

Approved as to form:

By: _____
[Name and Title]

EXHIBIT A TO COOPERATIVE AGREEMENT

NOTICE TO DEPARTMENT OF TAXATION

Name of Business: _____ (the "Business")

Business Address: _____

Department of Taxation Identification Number for Business: _____

The City of Las Vegas hereby notifies the Department of Taxation that the Business is located within the City Of Las Vegas, Nevada Tourism Improvement District (Symphony Park) (the "District"). The Business collects tax revenues generated within the District and such revenues shall be administered in accordance with the City Of Las Vegas, Nevada Tourism Improvement District (Symphony Park) Cooperative Agreement dated as of _____, 20__.

CITY OF LAS VEGAS, NEVADA

By: _____

Printed Name and Title

Date

STATE OF NEVADA)
)
CITY OF LAS VEGAS)

I, LuAnn D. Holmes, MMC, am the duly chosen and qualified Acting City Clerk of Las Vegas (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 (the "Council") at a meeting held on _____, 2015.

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 Council as follows:

Those Voting Aye:

Mayor:

Council members:

Carolyn G. Goodman

Stavros S. Anthony

Lois Tarkanian

Steven D. Ross

Ricki Y. Barlow

Bob Coffin

Bob Beers

Those Voting Nay:

Those Absent:

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 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 Council were given due and proper notice of the meeting. Pursuant to Nevada Revised Statutes ("NRS") 241.020, written notice of the meeting was given not later than 9:00 a.m. on the third working days before the meeting including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting on the City's website, at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, on the official website of the State of Nevada

pursuant to NRS 232.2175, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) City Hall
495 S. Main Street
Las Vegas, Nevada
- (ii) City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada
- (iii) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada
- (iv) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (v) The City of Las Vegas website

and

(b) Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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

6. A copy of such notice so given of the meeting of the Council on _____, 2015 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____, 2015.

LuAnn D. Holmes, MMC, Acting City Clerk