



CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: JUNE 15, 2005

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- CALL TO ORDER

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, WEEKLY, MACK, WOLFSON, and TARKANIAN

Also Present: CITY MANAGER DOUG SELBY (via conference call at 9:28 a.m.), DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL (via conference call at 9:28 a.m.), CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:04 - 9:05)

1-1

- INVOCATION - REVEREND GARD JAMESON, GRACE COMMUNITY CHURCH

MINUTES:

REVEREND GARD JAMESON, Grace Community Church, gave the invocation.

(9:05- 9:06)

1-23

- PLEDGE OF ALLEGIANCE

MINUTES:

MAYOR GOODMAN led the audience in the Pledge.

(9:06 - 9:07)

1-55

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

CONSENT DISCUSSION

SUBJECT:

CEREMONIAL

RECOGNITION OF THE EMPLOYEE OF THE MONTH

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Employee of the Month plaque for Trina Robinson

MOTIONS:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward ORLANDO SANCHEZ, Director, Neighborhood Services, to join him in recognizing TRINA ROBINSON, Senior Neighborhood Services Specialist with Neighborhood Services, as June's Employee of the Month for going above and beyond the call of duty as a public servant, making herself available around the clock. She has spent countless hours working directly with the homeless to help them find needed assistance. MS. ROBINSON has been working to assist a homeless gentleman that frequents the Mayor's neighborhood. This gentleman is service resistant, and the Mayor truly believes that MS. ROBINSON will be successful in finding him a home. Employees like MS. ROBINSON make the City successful.

MR. SANCHEZ said that MS. ROBINSON is an inspiration to the Neighborhood Services Department. He thanked her for her hard work and dedication to the City.

MS. ROBINSON thanked the Mayor for nominating her. She felt blessed to be working for a Council and a director supportive and willing to help hundreds of citizens and families. She said her job is not hard because she is doing something that she loves.

(9:07 - 9:12)

1-83

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

CONSENT **DISCUSSION**

SUBJECT:

CEREMONIAL

RECOGNITION OF LAS VEGAS RESTAURANTEUR ANDRE ROCHAT

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation proclaiming June 30, 2005, to be Andre Rochat Day

MOTIONS:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN recognized ANDRE ROCHAT, who is a very special member of the Las Vegas business community. MR. ROCHAT opened his legendary Andre's restaurant in 1980 on Sixth Street in downtown Las Vegas. The restaurant has become synonymous with gourmet French cuisine, superior service, and fine wine, which have garnered a loyal local and international following. Andre's has consistently won awards ranging from "Top French Restaurant" to "Best Gourmet Restaurant." MR. ROCHAT also opened other successful restaurants, including Alize, Mistral, and a second Andre's in the Monte Carlo. The Mayor presented MR. ROCHAT with a Proclamation declaring June 30, 2005, as Andre Rochat Day and thanked him for remaining in the downtown area.

MR. ROCHAT was overwhelmed by the recognition and felt flattered to have so many of his friends present. He thanked those people that stood by him during the tough times of 25 years of operation. He also thanked his wife for being his partner and putting up with him. He vowed to keep Andre's downtown as long as possible.

(9:12 - 9:16)

1-256

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

CONSENT **DISCUSSION**

SUBJECT:

CEREMONIAL

RECOGNITION OF ORLANDO SANCHEZ FOR WINNING THE EMERGING PUBLIC ADMINISTRATOR OF THE YEAR AWARD

MOTIONS:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward KAREN COYNE, Lieutenant with Detention and Enforcement and President of the local chapter of the American Society for Public Administration (ASPA), to recognize ORLANDO SANCHEZ, Director, Neighborhood Services.

On behalf of JIM SPINELLO, MS. COYNE indicated that it was an honor to recognize one of her colleagues for this award. Annually, ASPA seeks individuals who are star performers and possess values consistent with the organization. On behalf of ASPA, MS. COYNE congratulated MR. SANCHEZ for being named "Emerging Public Administrator of the Year."

MR. SANCHEZ felt humbled and honored to work for the City. He was utterly thankful for the recognition.

(9:16 - 9:18)

1-384

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

CONSENT **DISCUSSION**

SUBJECT:

CEREMONIAL

RECOGNITION OF AWARDS RECEIVED BY CITY EMPLOYEE JOHN CHAMBERS AND THE LEISURE SERVICES ADAPTIVE RECREATION DIVISION

MOTIONS:

None required. A presentation was made.

MINUTES:

COUNCILMAN BROWN recognized JOHN CHAMBERS of the Leisure Services Adaptive Recreation Division for receiving national recognition and for his expertise in adaptive recreation. His passion and commitment to individuals with disabilities has really stood proud with the City of Las Vegas and his accomplishments. He will dearly be missed when he retires.

MR. CHAMBERS said that he is very proud of many of the staff members in Adaptive Recreation, which would not have survived without the support of the Council and the City Manager's Office. He feels it is very important for people with disabilities to become a fabric of this community. He was very thankful.

(9:18 - 9:21)

1-445

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

CEREMONIAL

ADDITIONAL ANNOUNCEMENTS AND RECOGNITIONS

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation proclaiming the month of July 2005 to be Flash Flood Awareness Month

MOTIONS:

None required. A presentation was made.

MINUTES:

COUNCILMAN BROWN called forward GALE FRAZIER, General Manager, and BETTY HOLLISTER of the Regional Flood Control District to say a few words about flood awareness.

MR. FRAZIER acknowledged COUNCILMEN BROWN and MACK as members of the Regional Flood Control District. They both take a very regional perspective in handling the flood waters throughout Clark County. He noted that without the improvements made to the Charleston Underpass, in conjunction with the City Public Works Department, the area would have flooded numerous times this winter. The public must be careful during the upcoming flash flood season, July through September. If the road cannot be seen, people should not drive through it. He thanked the City for helping to raise flood awareness and encouraged people to enter in the upcoming Name A Billboard Contest.

MS. HOLLISTER indicated the Regional Flood Control District's public outreach campaign includes billboards, radio, and TV spots. She encouraged people to submit their slogans. The winning slogan will be posted on a billboard during the months of August and September.

(9:21 - 9:24)

1-545

RECOGNITION OF ART WORK

COUNCILMAN WEEKLY stated that he was commissioned approximately a month ago to serve as the arts ambassador for the high-rise development Streamline Towers, from where he acknowledged and called forward PAUL SPEARS, BONNIE SMITH, and RON EVANGELISTA. COUNCILMAN WEEKLY commented that he and local artist, SAFARI, captured the past, the present, and the future Downtown Las Vegas.

MR. EVANGELISTA said that Streamline Towers is delighted to be part of the renaissance project downtown. Streamline Towers intends to designate a wall for a local artist to display a piece of art, which will then be made available at the sales office at the Fremont Street Experience that will open in July. He noted that Streamline Towers is happy COUNCILMAN WEEKLY accepted the honor of being art ambassador.

COUNCILMAN WEEKLY unveiled the artwork and noted that he wanted to make this presentation at



CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

this meeting because COUNCILMAN MACK was stepping down, and the members of the Council wanted to show him that he is part of the City's history, the Council members' hearts, and he has been instrumental in the development occurring downtown.

(9:24 - 9:29)

1-815

RECOGNITION OF COUNCILMAN MICHAEL MACK'S SERVICE ON THE CITY COUNCIL

MAYOR GOODMAN announced that this was COUNCILMAN MACK'S last meeting. MAYOR GOODMAN and COUNCIL MEMBERS REESE, BROWN, WEEKLY, WOLFSON, and TARKANIAN commended COUNCILMAN MACK on the way in which he represented the fastest-growing area in the City of Las Vegas. He was able to bring people together to resolve very contentious issues in Ward 6. Not only has he accomplished many improvements in Ward 6, such as the development of the Centennial Hills Community Center, an equestrian park, and over 24 miles of roadway improvements, but he also was very instrumental in accomplishing projects for the entire City, such as getting the fire bond approved and amending ordinances regarding motorized scooters and viscous animals. COUNCILMAN MACK has been an innovative Council representative of Ward 6, while being a good father to his two sons. MAYOR GOODMAN said that the Council members wondered what would be a good gift, but finally decided that the most important thing they could give such a loyal colleague is their friendship, affection, and admiration.

LENI SKAAR and LISA CLEARWATER, Ward 6 Liaisons, presented COUNCILMAN MACK with an agenda of the first meeting he had with NARA before he was even sworn into office, as well as with an aerial photo of Ward 6 from when he first took office. He can look at it and see the many changes in which he was involved in Ward 6 .

COUNCILMAN MACK thanked his fellow Council members for their kind words, which mean much more to him than any gift they could have given him. He said that the changes in Ward 6 have not been accomplished with his efforts alone; it took the entire Council. They have done a great job and have proven what can be accomplished when the Council works as one. Even though they have had some philosophical differences, they have a mutual respect for each other which he hopes will carry on after he is gone. He congratulated STEVE ROSS on being elected to represent Ward 6. He is very capable, and, if he works with the residents and the development community, they can achieve a balance.

COUNCILMAN MACK thanked his parents, children, family, and friends for putting up with the headlines and the scrutiny of the media, which only made him a stronger person. He also thanked his staff for attending thousands of meetings and getting to the core of the concerns of the residents. He wished them well. He thanked his constituents for their confidence in him during his tenure. As a native Nevadan, he intends to stay in Las Vegas and be involved.

MAYOR GOODMAN recognized COMMISSIONER TOM COLLINS and CONSTABLE BOBBY "G" GRONAUER, who were in the audience for COUNCILMAN MACK'S farewell.

(9:29 - 9:53)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

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

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Approval of the Final Minutes by reference of the regular City Council Meeting of April 20, 2005 and the Special City Council Meeting of April 11, 2005

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED by Reference - UNANIMOUS

MINUTES:

There was no discussion.

(9:54)

1-1725

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on the certification of canvassed election returns for the June 7, 2005 Municipal General Election - Ward 6

PURPOSE/BACKGROUND:

The results of the June 7, 2005 Ward 6 General Election were canvassed comparing the computer printout of ballots counted and the results thereof with the official ballot statements for the 67 election precincts used in this election. There was an active voter registration of 52,555 of which 6,274 voters cast their ballots resulting in an 11.94% election turnout. Per the Clark County Registrar of Voters there were no unreconcilable errors making the tabulation 100% accurate. As to the mail ballots that were reconciled under my hand, as City Clerk, they also contained no errors.

RECOMMENDATION:

The City Council accept and certify the canvassed results of the Ward 6 General Election as presented.

BACKUP DOCUMENTATION:

1. Results of Canvass from the Clark County Registrar of Voters
2. The Official Final Report
3. "Statement of Vote" containing City of Las Vegas Ward 6 voter abstract information

MOTIONS:

REESE - APPROVED as recommended - UNANIMOUS

MINUTES:

CITY CLERK RONEMUS reported that for the June 7, 2005, General Election for Ward 6, there was an active voter registration of 52,555, of which 6,274 voters cast their ballots, resulting in an 11.94% election turnout. As a matter of information, she indicated that the Early Vote turnout for this election was larger than the Election Day turnout.

As to the canvass, the Clark County Registrar of Voters canvassed the City's returns, comparing the ballots counted with the official ballot statements for the 67 election precincts. There were no non-reconcilable errors, making this tabulation 100% accurate. Moreover, this was the first full municipal election completed using and processing optical scan ballots.

CITY CLERK RONEMUS thanked CHIEF DEPUTY CITY CLERK BEVERLY BRIDGES and the temporary election staff, led by VERNA CASTRO, for doing an excellent job. She also gave thanks to the Clark County Registrar of Voters and his staff for running a well-planned operation and for their efforts to ensure an error-free election. She recommended the Council accept and certify the canvassed results of the Ward 6 General Election as presented.

(9:54 - 9:56)

1-1739

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: ADMINISTRATIVE
DIRECTOR: DOUGLAS A. SELBY

CONSENT **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Approval of a net 3.00% cost of living adjustment (COLA) for eligible Appointive Employees effective June 19, 2005 (\$640,000 for salary and benefits from the General, Special Revenue, Enterprise and Internal Service Funds)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$640,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	All
<input type="checkbox"/>	Augmentation Required	Funding Source:	Various

PURPOSE/BACKGROUND:

By this action, Council is approving a Cost of Living Adjustment (COLA) for appointive employees who are not in the Executive or Management Compensation Plans.

RECOMMENDATION:

The City Manager recommends the approval of the net 3.00% cost of living adjustment (COLA) for eligible Appointive Employees.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

NOTE: COUNCILMAN MACK clarified for Item 36 that the **STEPHEN MACK** listed is not his brother. Also, for Item 39, he disclosed that the location involved is located near the Lady Luck Casino, in which his brother-in-law **ANDREW DONNER** is part owner. However, his brother-in-law has not mentioned this request to **COUNCILMAN MACK**, who did not believe it would have an effect on his relative's interests. Therefore, he would be voting on Item 39.

MINUTES:

COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

COUNCILMAN WEEKLY requested Item 63 be pulled for discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: ADMINISTRATIVE

DIRECTOR: ELIZABETH FRETWELL

CONSENT **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Approval of the Third Amended and Restated Memorandum of Understanding between the City of Las Vegas, City Parkway V and the Las Vegas Performing Arts Center Foundation for the development of a Performing Arts Center at Union Park - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In May 2003, City Parkway V (CP) entered into a Memorandum of Understanding (MOU) with the Las Vegas Performing Arts Center Foundation (LVPACF) which considered CP conveying 5 acres to LVPACF for the development of a performing arts center to be set forth in a final Disposition and Development Agreement (DDA). An additional 180 days are being requested to complete the drafting of a DDA and to complete the issuance of bonds.

RECOMMENDATION:

Approval of the MOU by the City and approval to authorize CP to enter into the MOU.

BACKUP DOCUMENTATION:

Third Amended and Restated Memorandum of Understanding

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$53,040,492.08
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Accounting Operations
<input type="checkbox"/>	Augmentation Required	Funding Source:	All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 05/16/05 - 05/31/05

Total Services and Materials Checks: \$16,473,601.09
 Total Services and Materials EFT Payments: \$178,495.73
 Total Wire Transfers: \$30,696,520.72
 Total Payroll Checks: \$5,691,874.54

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a transfer of Fiscal Year 2005 Budget appropriations for the Multipurpose Special Revenue Fund (SRF) in the amount of \$7,800,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$7,800,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Multipurpose SRF

PURPOSE/BACKGROUND:

Transfer of budget appropriations requested to adjust for expenditures and adjustments between functions. This request does not increase the total authorized appropriations for fiscal year 2005.

RECOMMENDATION:

Staff recommends approval of transfer of budget appropriations for the Multipurpose Special Revenue Fund.

BACKUP DOCUMENTATION:

Exhibit A - Transfer of Budget Appropriations

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of transfer of FY2005 Budget Appropriations for Capital Project Funds in the amount of \$7,247,707

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$7,424,707.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Capital Project Funds

PURPOSE/BACKGROUND:

Transfer of Budget Appropriations requested to adjust for expenditures and adjustments between functions. This request does not increase the total authorized appropriations for fiscal year 2005.

RECOMMENDATION:

Staff recommends approval of Transfer of Budget Appropriations for the Capital Project Funds in the total amount of \$7,424,707.

City Facilities \$2,864,707
Public Works \$3,540,000
Parks & Leisure Activities \$ 620,000
Special Assessments \$ 400,000

BACKUP DOCUMENTATION:

Exhibit A - Transfer of Appropriations

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval to Augment the City of Las Vegas Fiscal Year 2005 Municipal Golf Enterprise Fund Budget (EF) in the amount of \$91,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$91,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Municipal Gold EF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 Municipal Golf Enterprise Fund Budget in the amount of \$91,000 for the purpose of recognizing an increase in revenue and an increase in appropriations for payment of possessory interest property tax. This action will have no impact on the budgeted net loss in the fund.

RECOMMENDATION:

Staff recommends approval of the augmentation to the Municipal Golf Enterprise Fund Budget

BACKUP DOCUMENTATION:

Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval to Augment the City of Las Vegas Fiscal Year 2005 Sanitation Enterprise Fund (EF) Budget in the amount of \$1,600,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,600,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Sanitation EF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 Sanitation Enterprise Fund Budget in the amount of \$1,600,000 for the purpose of recognizing an increase in revenue and an increase in appropriations for unplanned expenditures. This action will have no impact on the budgeted net income in the fund.

RECOMMENDATION:

Staff recommends approval of the augmentation to the Sanitation Enterprise Fund Budget.

BACKUP DOCUMENTATION:

Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval to Augment the City of Las Vegas Fiscal Year 2005 Development Services Enterprise Fund (EF) Budget in the amount of \$1,000,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,000,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Development Services EF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 Development Services Enterprise Fund Budget in the amount of \$1,000,000 for the purpose of providing an increase in appropriations for a transfer to the City Facilities Capital Projects Fund. The transfer will provide for facility expansion at the West Service Center. Resources will be made available through a reduction in the cash balance of the fund.

RECOMMENDATION:

Staff recommends approval of the augmentation to the Development Services Enterprise Fund Budget.

BACKUP DOCUMENTATION:

Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval to Augment and Amend the City of Las Vegas Fiscal Year 2005 Workers Compensation and Employee Benefit Internal Service (ISF) Fund Budgets in the amount of \$20,180,687

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$20,180,687.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Workers Compensation & Employee Benefits ISF

PURPOSE/BACKGROUND:

Augment and amend the Fiscal Year 2005 Workers Compensation and Employee Benefit Internal Service Fund Budgets in the amount of \$20,180,687 for the purpose of providing for a transfer of the remaining fund balance from the Workers Compensation ISF to the newly consolidated Employee Benefits ISF and an increase in appropriations for unplanned expenditures. Resolution R-182-04 consolidating the Workers Compensation ISF and the Employee Benefits ISF was approved by the City Council on December 15, 2004.

RECOMMENDATION:

Staff recommends approval of the augmentation and amendment to the Workers Compensation and Employee Benefit Internal Service Funds.

BACKUP DOCUMENTATION:

Exhibit A - Augmentation and Consolidation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval to Augment and Amend the City of Las Vegas Fiscal Year 2005 Liability Insurance Internal Service Fund (ISF) Budget in the amount of \$1,997,269

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,997,269.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Liability Insurance ISF

PURPOSE/BACKGROUND:

Augment and amend the Fiscal Year 2005 Liability Insurance Internal Service Fund Budget in the amount of \$1,997,269 for the purpose of providing for a transfer of the remaining fund balance to the newly consolidated Liability Insurance and Property Damage Internal Service Fund.

RECOMMENDATION:

Staff recommends approval of the augmentation and amendment to the Liability Insurance Internal Service Fund Budget. Resolution R-181-04 consolidating the Liability Insurance ISF and the Property damage ISF was approved by the City Council on December 15, 2004.

BACKUP DOCUMENTATION:

Exhibit A - Augmentation and Consolidation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Special Event License for Laura Acosta, Location: East Las Vegas Community Senior Center, 250 North Eastern Avenue, Date: July 23, 2005, Type: Special Event Beer/Wine, Event: Wedding, Responsible Person in Charge: Rogelio Ramirez - Ward 3 (Reese)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a new Tavern-Limited License subject to the provisions of the planning and fire codes and Health Dept. regulations, Thammavongsa and Thammavongsa, dba Lao Thai Cuisine, 727 & 731 Fremont Street, Oska Thammavongsa and Syvone Thammavongsa, 100% jointly as husband and wife - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Tavern-Limited License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations.

BACKUP DOCUMENTATION:

Map

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a new Psychic Art and Science/Astrology License, Kerry Dale, dba Kerry Dale, 6848 West Charleston Boulevard, Kerry L. Dale, 100% - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Psychic Art and Science/Astrology License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

Map

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of Change of Location for a Burglar Alarm Service License, Network Multi-Family Security Corporation, dba Network Multi-Family Security Corporation, From: 151 West Brooks Avenue, Suite G, To: 2750 West Brooks Avenue, Steven V. Williams, Dir, Pres - North Las Vegas

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Burglar Alarm Service License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a new Burglar Alarm Service License, Think B.I.G., LLC, dba Signature Alert, 9987 Perceval Street, Summer D. Gardner, Mmbr, Mgr, Pres, 51%, Brad I. Gardner, Mmbr, Mgr, Secy, Treas, 49% - County

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Burglar Alarm Service License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of a new Burglar Alarm Service License, Security Associates International, Inc., dba Security Associates International, Inc., 2101 South Arlington Heights Road, Raymond A. Gross, Dir, Pres, CEO, Paul M. Lucking, Senior VP, COO, Randall L. Talcott, Senior VP, CFO, Treas, Secy - Arlington Heights, Illinois

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Burglar Alarm Service License.

RECOMMENDATION:

Recommend approval.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Pre-approval of award of Bid No. 05.1730.25-LED, Flood Control Facilities Annual Maintenance to the lowest responsive and responsible or best bidder - Department of Public Works - (Estimated Annual Amount of \$1,500,000 - Road and Flood Capital Projects Fund) - All Wards

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,500,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works
<input type="checkbox"/>	Augmentation Required	Funding Source:	Road and Flood CPF

PURPOSE/BACKGROUND:

This project consists of the placement of rock rip rap, wire mesh gabions, repair of flood control channels and detention basins. Also includes the removal and disposal of trash, discarded appliances, furniture and other items from the flood control channels and detention basins and any additional maintenance or construction work as directed by the City. The period of performance will be from date of award through June 30, 2006 with four (4) one-year options to renew.

PCC: L.E. Davis

RECOMMENDATION:

That the City Council pre-approve the award of Bid No. 05.1730.25-LED, Flood Control Facilities Annual Maintenance to the lowest responsive and responsible or best bidder for the estimated annual amount of \$1,500,000 for the period from date of award through June 30, 2006 with four (4) one-year options to renew. Authority to execute contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of the award of Bid No. 050623-TM, Animal Control Truck Body Installation - Department of Field Operations - Award recommended to: AUTO SAFETY HOUSE, INC. (\$30,890 - Automotive Services ISF)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$30,890.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Field Operations / Fleet Services
<input type="checkbox"/>	Augmentation Required	Funding Source:	Automotive Services ISF

PURPOSE/BACKGROUND:

This request is for the transferring of existing animal control truck bodies from 2001 model vehicles onto new 2005 model vehicles for the Department of Field Operations. The recommended Supplier was the lowest responsive and responsible bidder.

PCC: T. Maino
POC: Scott Wilkum - (702) 221-9915

RECOMMENDATION:

That the City Council approve the award of Bid No. 050623-TM, Animal Control Truck Body Installation to Auto Safety House in the amount of \$30,890.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of the award of Bid No. 050589-LED, Demolition of Buildings at 400, 408 and 412 North 7th Street and the conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: NU EQUIPMENT, INC. (\$49,999.99 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$49,999.99
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works
<input type="checkbox"/>	Augmentation Required	Funding Source:	City Facilities CPF

PURPOSE/BACKGROUND:

This project consists of the abatement and demolition of City owned residential buildings located at 400, 408 and 412 North 7th Street which currently represent a public nuisance. Work includes, but is not limited to, asbestos abatement of interior asbestos-containing materials, removal of materials, obtaining permits, disconnection of utilities, disposal fees, and transportation cost for safe removal of all materials associated with the abatement and demolition in accordance with the specifications.

PCC: L.E. Davis

POC: Jeff Frehner - (702) 649-8767

RECOMMENDATION:

That the City Council approve the award of Bid No. 050589-LED, Demolition of Buildings at 400, 408 and 412 North 7th Street to NU Equipment, Inc. in the amount of \$49,999.99 and approve a conflicts and contingency reserve of \$3,400. Authority to execute the contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of revision of Purchase Order No. 225000 for an Annual Requirements Contract for Industrial Supplies and Equipment - Various Departments - Award to: W. W. GRAINGER (\$100,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$100,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Various
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

On February 20, 2002, the City Council approved the award of an annual requirements contract for industrial supplies and equipment for use by various departments for an estimated annual amount of \$216,000. On May 21, 2003, the City Council approved an increase of this amount to \$356,000. Due to increased requirements for various City projects, the estimated annual amount now requires an increase of \$100,000.

PCC: D. Dixon
POC: Kelly Krzyzaniak - (702) 809-5282
CFN: 050501

RECOMMENDATION:

That the City Council approve the issuance of revision to Purchase Order No. 225000 to W. W. Grainger in the amount of \$100,000 for a revised total amount of \$456,000.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of issuance of a purchase order for an Annual Requirements Contract for Firefighter Turnout Gear - Department of Fire and Rescue - Award recommended to: L. N. CURTIS AND SONS (Not to exceed \$500,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$500,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Fire and Rescue
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for an annual requirements contract for firefighter turnout gear for Fire and Rescue personnel.

This requirement is exempt from the competitive bidding process pursuant to NRS 332.155.3(a). The personal safety equipment will be used by personnel of the fire department or law enforcement agencies in responding to emergencies in which the health, safety or welfare of those personnel may be compromised, impaired or otherwise threatened.

PCC: G. Leaf
POC: Patrick Lonergan - (800) 443-3556
CFN: 050603

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for an Annual Requirements Contract for Firefighter Turnout Gear to L. N. Curtis and Sons from date of award through June 30, 2006 with renewals as long as the competitive bidding exception applies in an amount not to exceed \$500,000.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of Contract No. 050613 for MobileHWY Wireless Interface Consulting Services - Department of Information Technologies - Award recommended to: MOBILEHWY, LLC (\$1,262,736 - Computer Services Internal Service Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,262,736.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Information Technologies
<input type="checkbox"/>	Augmentation Required	Funding Source:	Computer Services ISF

PURPOSE/BACKGROUND:

This contract provides for the development, installation, implementation and training of a wireless multi-functional interface to the Hansen software for inspections, work orders, customer service, assets and permitting. The interface will save substantial time and resources for several City departments. MobileHWY is an exclusive partner to Hansen for this software application.

This requirement is exempt from the competitive bidding procedures pursuant to NRS 332.115.1(b) Professional Services.

PCC: D. Kaplan

POC: M. Wachholz - (704) 644-1598 ext. 127

RECOMMENDATION:

That the City Council approve Contract No. 050613 for MobileHWY Wireless Interface Consulting Services to MobileHWY, LLC in the amount of \$1,262,736 inclusive of the first two years of software support and maintenance. Authority to execute the contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership / Principals

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of issuance of a purchase order for an Annual Requirements Contract for Polara Audible Pedestrian Systems - Department of Public Works - Award recommended to: PHOENIX HIGHWAY PRODUCTS INC. (Estimated annual amount of \$150,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$150,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works / TEFO
<input type="checkbox"/>	Augmentation Required	Funding Source:	General fund

PURPOSE/BACKGROUND:

This request will provide for an annual requirements contract for Polara Audible Pedestrian Systems for the Public Works Traffic Engineering and Field Operations Division. The City of Las Vegas presently uses the Polara System to aid the visually impaired in crossing the City's signalized intersections. The Polara System was chosen with the assistance of the members of the Nevada Council of the Blind and the Nevada Services to the Blind as the best suited to meet the needs of the visually impaired. The purchase of the Polara System will allow the City to meet the requirements of the Americans with Disabilities Act (ADA)

This purchase is exempt from competitive bidding pursuant to NRS 332.115.1(d), Equipment which, by reason of the training of the personnel or of an inventory of replacement parts maintained by the local government is compatible with existing equipment.

PCC: A. Green
POC: Debra Lesan - (623) 434-0509
CFN: 050647

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for Polara Audible Pedestrian Systems to Phoenix Highway Products, Inc. in the estimated annual amount of \$150,000 from date of award through May 31, 2006 with annual renewals as long as the competitive exemption applies.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of issuance of a purchase order for an Annual Requirements Contract for High Risk Exam Gloves - Department of Finance and Business Services - Award recommended to: MOORE MEDICAL CORPORATION (Estimated annual amount of \$75,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$75,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for an annual requirements contract for the purchase of high risk exam gloves to be used by Fire Services Paramedics.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.3(a), The purchase of personal safety equipment for use by a local fire department or law enforcement agency in responding to emergencies in which the health, safety or welfare of those personnel may be compromised, impaired or otherwise threatened.

PCC: G. Leaf
POC: Bonnie Samsel - (800) 234-1464
CFN: 050648

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for an Annual Requirements Contract for High Risk Exam Gloves to Moore Medical Corporation for the period from date of award through April 30, 2006 with annual renewals as long as the competitive bidding exception applies in the estimated annual amount of \$75,000.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of issuance of a purchase order for Mobile Radio Equipment - Department of Fire and Rescue - Award recommended to: MOTOROLA, INCORPORATED (\$37,138 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$37,318.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Fire and Rescue
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for the purchase of mobile radio equipment for the Fire and Rescue Communication Center.

This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(d), Equipment which, by reason of the training of the personnel or of an inventory of replacement parts maintained by the local government is compatible with existing equipment.

PCC: G. Leaf
POC: Curtis Steadman - (702) 558-4437
CFN: 050650

RECOMMENDATION:

That the City Council approve the issuance of a Purchase Order for Mobile Radio Equipment, in the amount of \$37,318 to Motorola, Incorporated.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of issuance of a purchase order for three (3) MEDTEC Navistar International 4300 Star-Of-Life Ambulances - Department of Fire and Rescue - Award recommended to: MEDTEC AMBULANCE, INC. (\$582,849 - Fire Equipment Internal Service Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$582,849.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Fire and Rescue
<input type="checkbox"/>	Augmentation Required	Funding Source:	Fire Department ISF

PURPOSE/BACKGROUND:

This request provides for three (3) MEDTEC Navistar International 4300 Star-Of-Life Ambulances for Fire and Rescue. These are scheduled fleet replacement units.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(d), Equipment which, by reason of the training of the personnel or of an inventory of replacement parts maintained by the local government is compatible with existing equipment.

PCC: G. Leaf
POC: Curtis Clifford - (800) 352-4266
CFN: 050651

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for three (3) MEDTEC Navistar International 4300 Star-Of-Life Ambulances for Fire and Rescue to MEDTEC Ambulance, Inc. in the amount of \$582,849.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Approval of Contract No. 050655 for CommVault Software, Support and Maintenance - Department of Information Technologies - Award recommended to: COMMVault SOFTWARE (\$157,000 - Computer Services Internal Service Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$157,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Information Technologies
<input type="checkbox"/>	Augmentation Required	Funding Source:	Computer Services ISF

PURPOSE/BACKGROUND:

This requirement is for CommVault electronic data back-up and storage software, support and maintenance from date of award through May 16, 2006 with annual renewals for support and maintenance as long as the competitive bidding exception applies.

This item is exempt from competitive bidding pursuant to NRS 332.115(h), Software for Computers.

PCC: T. Boyce
POC: Wade Harris - (602) 705-7187
CFN: 050122

RECOMMENDATION:

That the City Council approve award of Contract No. 050655 for CommVault Software, Support and Maintenance for the estimated amount of \$157,000 and annual support and maintenance renewals in the amount of \$40,000 beginning May 16, 2006 and continuing as long as the bidding exception applies.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FIRE & RESCUE

DIRECTOR: DAVID WASHINGTON

CONSENT **DISCUSSION**

SUBJECT:

Approval of authorizing the city's Emergency Management Officer to execute a grant award from the Nevada Division of Emergency Management for receipt of homeland security funds from the FY05 U.S. Office of Domestic Preparedness State Homeland Security Program - All Wards

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This grant award from the Nevada Division of Emergency Management in the amount of \$745,000.00 is for the city's homeland security preparedness projects for citizens. The source of this funding is the FY05 U.S. Office of Domestic Preparedness State Homeland Security Program (SHSP). 100% federal funds, no match requirement.

RECOMMENDATION:

Las Vegas Fire & Rescue recommends approval.

BACKUP DOCUMENTATION:

Grant award documents

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: MUNICIPAL COURT

DIRECTOR: JAMES CARMANY

CONSENT **DISCUSSION**

SUBJECT:

Approval of annual purchase order for instructors and speaker services for Las Vegas Municipal Court's court-ordered defendant classes and programs provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$273,300 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$273,300.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Municipal Court/ASED
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for instructors to conduct classes for ASED's Misdemeanor Programs Unit and Traffic School as well as speaker services for the First Offender Prostitution Program administered by ASED, for the period from July 1, 2005 through June 30, 2006.

RECOMMENDATION:

That the City Council approve annual purchase order for instructor and speaker services, and that the Court Administrator be authorized to execute contracts with said individuals in the aggregate annual amount of \$273,300.

BACKUP DOCUMENTATION:

Agenda Memo

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: MUNICIPAL COURT

DIRECTOR: JAMES CARMANY

CONSENT **DISCUSSION**

SUBJECT:

Approval of annual purchase order for interpreters/translators for Las Vegas Municipal Court's court-ordered classes, appointments and curriculum materials provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$32,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$32,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Municipal Court/ASED
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for interpreters/translators (foreign and sign language as well as deaf captioning) to provide interpreting and translating services, including simultaneous, for court-ordered classes, appointments, curriculum materials and program contacts administered by ASED for the period from July 1, 2005 through June 30, 2006.

RECOMMENDATION:

That the City Council approve annual purchase order for the interpreters/translators and that the Court Administrator be authorized to execute with said individuals in the aggregate annual amount of \$32,000.

BACKUP DOCUMENTATION:

Agenda Memo

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: MUNICIPAL COURT

DIRECTOR: JAMES CARMANY

CONSENT **DISCUSSION**

SUBJECT:

Approval of a grant funded DUI Coordinator position and matching funds pursuant to Municipal Court's Alternative Sentencing & Education Division's sub-grant from The Nevada Office of Traffic Safety for federal fiscal year 2005, which ends September 30, 2005, in the amount of \$89,000 (\$61,000 with the balance of \$19,000 pending Congressional approval and City matching funds not to exceed \$9,000)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$89,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Municipal Court/ASED
<input type="checkbox"/>	Augmentation Required	Funding Source:	Grant

PURPOSE/BACKGROUND:

Current literature and leaders of the best practices in reducing DUI recidivism incorporate a Judge focused and/or intensive case management system consisting of a court review team. The DUI Court, to be implemented within Municipal Court, will focus on prevention, intervention and treatment. The new interventions provide strengthened and new judicial sanctions. The program design will support the goal to change behavior to save lives from offenders who irresponsibly drink, and/or use drugs and drive. The role and duties of the proposed DUI Coordinator is pivotal to the success of this new initiative. This position will also evaluate the program from inception. The Court has received approved funding for three project years through Federal Fiscal Year 2007, for a total of \$233,852.

RECOMMENDATION:

Approval of a DUI Coordinator position for Municipal Court.

BACKUP DOCUMENTATION:

1. State of Nevada Department of Public Safety Office of Traffic Safety Authorization to Proceed
2. State of Nevada Department of Public Safety Office of Traffic Safety Project Agreement
3. State of Nevada Department of Public Safety Office of Traffic Safety Title Page

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: MUNICIPAL COURT
DIRECTOR: JAMES CARMANY

CONSENT **DISCUSSION**

SUBJECT:

Approval of annual purchase order for interpretation services for Municipal Court (Annual aggregate amount of \$160,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$160,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Municipal Court/Judges
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for certified court interpreters who provide translation services for Municipal Court during the period of July 1, 2005 through June 30, 2006.

RECOMMENDATION:

That the City Council approve annual purchase order for interpreter service and that the Court Administrator be authorized to execute contracts with said individuals in the aggregate annual amount of \$160,000.

BACKUP DOCUMENTATION:

Agenda Memo

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: MUNICIPAL COURT

DIRECTOR: JAMES CARMANY

CONSENT **DISCUSSION**

SUBJECT:

Approval of annual purchase order for Alternate Judge services for Municipal Court (Annual aggregate amount of \$45,000 - General Fund)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$45,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Municipal Court/Judges
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

This request provides for Alternate Judge services for Municipal Court during the period of July 1, 2005 through June 30, 2006.

RECOMMENDATION:

That the City Council approve annual purchase order for Alternate Judge services and that the Court Administrator be authorized to execute contracts with said individuals in the aggregate annual amount of \$45,000.

BACKUP DOCUMENTATION:

Agenda Memo

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

NOTE: COUNCILMAN MACK clarified for Item 36 that the **STEPHEN MACK** listed is not his brother. Also, for Item 39, he disclosed that the location involved is located near the Lady Luck Casino, in which his brother-in-law **ANDREW DONNER** is part owner. However, his brother-in-law has not mentioned this request to **COUNCILMAN MACK**, who did not believe it would have an effect on his relative's interests. Therefore, he would be voting on Item 39.

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

CONSENT **DISCUSSION**

SUBJECT:

Approval to allocate \$40,000 of General Fund-Weather Shelter funds to the National Partnership for Homeless Youth to implement the Homeless Management Information System (HMIS) - All Wards

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$40,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Neigh. Svcs./Neigh. Admin
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund-Weather Shelter

PURPOSE/BACKGROUND:

The Southern Nevada Regional Planning Coalition Committee on Homeless has undertaken significant tasks relating to the regional issue of homelessness, including the implementation of a Homeless Management Information System (HMIS). The HMIS is a community-wide information system for agencies that provide housing and services to homeless people through the Las Vegas valley. A percentage of the city of Las Vegas' population-based portion of the HMIS totals \$40,000.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Contract for Organization and Staffing Plan Consulting Services with EMA, Inc., for the City's Water Pollution Control Facility (WPCF) located at 6005 East Vegas Valley Drive (\$382,210 - Sanitation Enterprise Fund) - County (near Ward 3 - Reese)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$382,210.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Environmental
<input type="checkbox"/>	Augmentation Required	Funding Source:	Sanitation Enterprise Fund

PURPOSE/BACKGROUND:

This contract is for Organization and Staffing Plan Consulting Services. It will provide a transition plan to initiate the Environmental Systems Technician (EST) program, and continue EST development for the next 5 to 10 years.

RECOMMENDATION:

Approval of an Organization and Staffing Plan Consulting Services Contract with EMA, Inc. Authority to execute the contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

Contract Organization and Staffing Plan Consulting Services

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from Lochsa Engineering on behalf of Streamline Tower, LLC, owner (southeast corner of Las Vegas Boulevard and Ogden Avenue) - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for six planters along the east side of Las Vegas Boulevard, twelve planters on the south side of Ogden Avenue and two planters on the west side of 6th Street, consisting of trees and an irrigation system for the proposed Streamline Tower. The planters will be adjacent to the property line and will be flush with the ground. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (southeast corner of Las Vegas Boulevard and Ogden Avenue)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

NOTE: COUNCILMAN MACK clarified for Item 36 that the STEPHEN MACK listed is not his brother. Also, for Item 39, he disclosed that the location involved is located near the Lady Luck Casino, in which his brother-in-law ANDREW DONNER is part owner. However, his brother-in-law has not mentioned this request to COUNCILMAN MACK, who did not believe it would have an effect on his relative's interests. Therefore, he would be voting on Item 39.

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from LandTek, LLC, on behalf of Cliff's Edge, LLC, owner (Farm Road between Shaumber Road and Egan Crest Way) - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for landscaping of the median in Farm Road between Shaumber Road and Egan Crest Way consisting of trees, shrubs, rocks, ground cover and an irrigation system for the proposed Cliff's Edge Farm Road Improvements. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Farm Road between Shaumber Road and Egan Crest Way)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from LandTek, LLC, on behalf of Cliff's Edge, LLC, owner (Dorrell Lane between Shaumber Road and Egan Crest Way) - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for landscaping of the median in Dorrell Lane between Shaumber Road and Egan Crest Way consisting of trees, shrubs, rocks, ground cover and an irrigation system for the proposed Cliff's Edge Dorrell Lane Improvements. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Dorrell Lane between Shaumber Road and Egan Crest Way)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from LandTek, LLC, on behalf of Cliff's Edge, LLC, owner (Egan Crest Way between Farm Road and Dorrell Lane) - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for landscaping of the medians on Egan Crest Way between Farm Road and Dorrell Lane consisting of trees, shrubs, ground cover, rocks and an irrigation system for the proposed Cliff's Edge Egan Crest Way Improvements. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (Egan Crest Way from Farm Road to approximately 548 feet south of Elkhorn Road)
2. Copy of Encroachment Exhibit "B" (Egan Crest Way at Dorrell Lane)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from Lewis Center Parking, LLC, owner (northeast corner of Lewis Avenue and Casino Center Boulevard) - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for underground building footings on the west side of the alley between Lewis Avenue and Bridger Avenue that will protrude approximately 4 feet into public right of way and extend approximately 175 feet along the property line and shall be a minimum of 1 foot from ground surface to top of footing for the proposed Lewis Center Parking Garage. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (northeast corner of Lewis Avenue and Casino Center Boulevard)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of an Encroachment Request from Southwest Engineering on behalf of Beazer Homes Holdings Corporation, owner (southeast corner of Fort Apache Road and Elkhorn Road) - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is for landscaping on the east side of Fort Apache Road extending southward from Elkhorn Road and on the median in Fort Apache Road adjacent to the property and on the south side of Elkhorn Road extending eastward from Fort Apache Road consisting of landscaping to meet Town Center landscaping requirements for the proposed Elkhorn Road and Fort Apache subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (southeast corner of Fort Apache Road and Elkhorn Road)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Farmanali Family Trust, Farus Farmanali, Trustee, owner (south of Azure Drive, east of Tenaya Way, APN 125-27-610-003, -004, -005, -006, -020, -021 and -022) - County (near Ward 6 - Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a 120 bed skilled nursing facility located south of Azure Drive, east of Tenaya Way. The owner proposes to connect to the 8-inch sewer line located in Tenaya Way. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement" and "Petition for Annexation."

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Interlocal Contract

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of Interlocal Contract 503 - Deer Springs Drive, Conough Lane to Buffalo Drive between the City of Las Vegas and the Regional Transportation Commission (RTC) for construction and construction engineering (\$1,278,000 - Regional Transportation Commission) - Ward 6 (Mack)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,278,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	RTC

PURPOSE/BACKGROUND:

Interlocal Contract 503 will encumber funding for construction and construction engineering for Deer Springs Drive, Conough Lane to Buffalo Drive. The RTC Board of Directors approved this contract at their May 19, 2005 meeting. Total cost for this project shall not exceed \$1,278,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract 503

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of First Supplemental Interlocal Contract 475a - Martin L. King Boulevard, Palomino Lane to Carey Avenue between the City of Las Vegas and the Regional Transportation Commission (RTC) to increase funding (\$1,675,000 - Regional Transportation Commission) - Ward 5 (Weekly)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,675,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	RTC

PURPOSE/BACKGROUND:

First Supplemental Interlocal Contract 475a will increase funding for Martin L. King Boulevard, Palomino Lane to Carey Avenue. Additional funding is necessary for right-of-way acquisition. The RTC Board of Directors approved this contract at their May 19, 2005 meeting. Total cost for this project shall not exceed \$4,500,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

First Supplemental Interlocal Contract 475a

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS
DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of Interlocal Contract 501 - Mountain Edge Parkway Corridor Study between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$72,000 - Clark County Regional Flood Control District [CCRFC]) - Ward 6 (Mack)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$72,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	CCRFC

PURPOSE/BACKGROUND:

Interlocal Contract 501 will encumber funding for an environmental assessment for Mountain Edge Parkway. The RTC Board of Directors approved this contract at their May 19, 2005 meeting. Total cost for this project shall not exceed \$72,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract 501

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of Third Supplemental Interlocal Contract 401c - Durango Drive - Westcliff Drive to Vegas Drive between the City of Las Vegas and the Regional Transportation Commission (RTC) to increase total project funding (\$100,000 - Regional Transportation Commission) - Ward 4 (Brown)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$100,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	RTC

PURPOSE/BACKGROUND:

Interlocal Contract 401c will increase total project funding for Durango Drive - Westcliff Drive to Vegas Drive. Additional funding is necessary due to increased construction costs. The RTC Board of Directors approved this contract at their May 19, 2005 meeting. Total cost for this project shall not exceed \$17,701,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Third Supplemental Interlocal Contract 401c

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of First Supplemental Interlocal Contract for the FY 2004-2005 Maintenance Work Program - LV04-05 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to increase total project funding (\$146,000 - Clark County Regional Flood Control District) - All Wards

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$146,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	CCRFCDD

PURPOSE/BACKGROUND:

First Supplemental Interlocal Contract for the FY 2004-2005 Maintenance Work Program will increase total project funding. Additional funding is needed due to clean up after above average rainfall during February and March of 2005 and to make emergency repairs in the Las Vegas Wash. The Clark County Regional Flood Control District approved this contract at their May 19, 2005 Board meeting. Total cost of this project shall not exceed \$1,549,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

First Supplemental Interlocal Contract Annual Maintenance Work Program

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Non-Refundable Contribution in Aid of Construction Agreement with Nevada Power Company for utility relocation work on the Durango Drive Improvements Project, from Westcliff Drive to Vegas Drive (\$100,000 - Regional Transportation Commission [RTC]) - Wards 2 and 4 (Wolfson and Brown)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$100,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	RTC

PURPOSE/BACKGROUND:

The City is required to pay Nevada Power Company a non-refundable tax on the estimated cost of the labor and material that the utility will expend to relocate their existing facilities in order to accommodate the construction of the Durango Drive Improvements Project, from Westcliff Drive to Vegas Drive. Payment of the tax is mandated by Section 118 of the Internal Revenue Code as amended by the Tax Reform Act of 1986.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Non-Refundable Contribution in Aid of Construction Agreement

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of Interlocal Agreement 111228 with the Las Vegas Valley Water District for construction and funding of water facilities as part of Special Improvement District 1490, Tenaya Way - Centennial Parkway to Elkhorn Road Project (\$107,800 - City of Las Vegas Special Improvement District [CLV SID] 1490) - Ward 6 (Mack)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$107,800.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/City Engineer
<input type="checkbox"/>	Augmentation Required	Funding Source:	CLV SID 1490

PURPOSE/BACKGROUND:

This agreement is for the City to design and construct modifications to existing water facilities, new water facilities, and other appurtenant work within the Las Vegas Valley Water District's service area in conjunction with the construction of Tenaya Way, from Centennial Parkway to Elkhorn Road.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Agreement 111228

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of Interlocal Agreement 111229 with the Las Vegas Valley Water District for water service at La Madre Mountain Equestrian Trailhead located at Cliff Shadows Parkway and Buckskin Avenue (\$30,049 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 4 (Brown)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$30,049.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Eng. Integration
<input type="checkbox"/>	Augmentation Required	Funding Source:	SNPLMA

PURPOSE/BACKGROUND:

A necessary part of this project is the installation of water service. Before the Las Vegas Valley Water District will sign the service connection documents and allow the City to install the water service, the Interlocal Agreement with conditional water commitments must be executed and the required fees paid.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Agreement 111229

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Designated Services Agreement with RBF Consulting, for construction claims management for Washington Buffalo Park Phase 1A and 1B located at Washington Avenue and Buffalo Drive (\$75,000 - Public Works Administration) - Ward 4 (Brown)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$75,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Eng. Integration
<input type="checkbox"/>	Augmentation Required	Funding Source:	Public Works Administration

PURPOSE/BACKGROUND:

The City of Las Vegas is currently constructing Washington and Buffalo Park located on approximately 105 acres at Washington Avenue and Buffalo Drive. The original completion date for the project has not been met by the Contractor. The City is in receipt of a claim for delay from the Contractor. RBF will assist the City in the review, evaluation and mitigation of the delay claim.

RECOMMENDATION:

That the City Council approves the negotiated Designated Service Agreement with RBF Consulting for construction claims management services for Washington Buffalo Park Phase 1A and 1B in the amount of \$75,000.

BACKUP DOCUMENTATION:

Designated Services Agreement

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a First Amendment to Professional Services Agreement with Poggemeyer Design Group, Inc., for additional design services of Alexander Hualapai Softball Complex located at Alexander Road and Hualapai Way (\$108,239.50 - Parks Capital Improvement Project Fund [CIP]) - Ward 4 (Brown)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$108,239.50
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Eng. Integration
<input type="checkbox"/>	Augmentation Required	Funding Source:	Parks CIP Fund

PURPOSE/BACKGROUND:

The Contract was originally negotiated in March of 2002. The design was suspended for two years while the detention basin was designed and its capacity increased. In 2004, the softball complex was revisited and the design restarted. The First Amendment reflects the consultant's 2004 fee structure scheduling rate verses the schedule rate originally negotiated. In addition, the City has requested design changes for the softball fields on the bench portion of the detention basin. Those changes include the layout for six 200-foot fields in lieu of four 300-foot fields.

RECOMMENDATION:

That the City Council approves the First Amendment to Professional Services Agreement with Poggemeyer Design Group Inc., for additional design services of Alexander/Hualapai Softball Complex in the amount of \$108,239.50.

BACKUP DOCUMENTATION:

First Amendment

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval of a Dedication from the City of Las Vegas, for a portion of the Southeast Quarter of Section 24, Township 19 South, Range 60 East, Mount Diablo Meridian, for dedication of right-of-way (40 feet) and an additional right turn lane area located on south side of Deer Springs Way, west of Decatur Boulevard, APN 125-24-701-038 - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.
(9:56 - 9:58)
1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Approval to appraise and purchase or condemn right-of-way/easement parcels for the Grand Montecito Parkway project from Deer Springs Way north to the entrance of Mountain Ridge Park, approximately 1,350 feet south of Elkhorn Road, including drainage issues along the Dorrell Road alignment, east of Grand Montecito Parkway and direct staff and City Attorney to perfect/cure any deficiencies of existing right-of-way legal descriptions lying within the Parkway alignment, subject to funding of Special Improvement District 1512 (\$50,000 - Special Improvement District [SID]) - Ward 6 - (Mack)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$50,000.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works
<input type="checkbox"/>	Augmentation Required	Funding Source:	SID 1512

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Submitted after final agenda - Abeyance request from Attorney Paul Larsen for Items 57 and 58 (filed under Item 57)

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-55-2005 - Approval of a Resolution directing the City Engineer to prepare preliminary plans for Special Improvement District No. 1512 - Grand Montecito Parkway (Deer Springs Way to Mountain Ridge Park) - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The construction and installation of full width pavement, median islands, curb and gutter, traffic signal undergrounds, storm drain facilities, commercial driveways, water mains and laterals, sewer mains and laterals, fire hydrants, sidewalk ramps, and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

1. Resolution No. R-55-2005
2. Submitted after final agenda - Abeyance request from Attorney Paul Larsen for Items 57 and 58 filed under Item 57

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-56-2005 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2005 Las Vegas Convention and Visitors Authority (LVCVA) Special Revenue Fund (SRF) Budget in the amount of \$1,153,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,153,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	LVCVA SRF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 LVCVA Special Revenue Fund Budget in the amount of \$1,153,000. This action is to recognize revenue not in the original budget and to increase appropriations for a transfer of available resources to the Parks and Leisure Activities Capital Projects Fund.

RECOMMENDATION:

Staff recommends approval of the augmentation to the LVCVA Special Revenue Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-56-2005
2. Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-57-2005 - Approval of a Resolution to Augment the City of Las Vegas Fiscal Year 2005 Street Maintenance Special Revenue Fund (SRF) Budget in the amount of \$1,222,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,222,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Street Maintenance SRF

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 Street Maintenance Special Revenue Fund Budget in the amount of \$1,222,000.

RECOMMENDATION:

Staff recommends approval of the augmentation to the Street Maintenance Special Revenue Fund.

BACKUP DOCUMENTATION:

1. Resolution No. R-57-2005
2. Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-58-2005 - Approval of a Resolution to Augment and Amend the City of Las Vegas Fiscal Year 2005 Debt Service Fund Budget in the amount of \$1,990,000

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,990,000.00
<input type="checkbox"/>	Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/>	Augmentation Required	Funding Source:	Debt Service Fund

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2005 Debt Service Fund Budget in the amount of \$1,990,000 for the purpose of effecting an increase in appropriations for debt refunding expenditures unplanned in the original budget. Resources were made available through Special Improvement Bond proceeds. This fund does not receive ad valorem tax revenue.

RECOMMENDATION:

Staff recommends approval of the augmentation and amendment to the Debt Service Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-58-2005
2. Exhibit A - Augmentation

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - **UNANIMOUS** with **MACK** abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (**ANDREW DONNER**) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Approval of a Second Amendment to the Lady Luck Parking Garage Lease located at 333 East Ogden Avenue reducing the security deposit from \$360,000 to \$100,000 - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The previous Section 27 of the Parking Indenture provided for a cash deposit. Lessee desires to reduce the current \$360,000 cash security deposit to a \$100,000 cash security deposit. Upon approval of this amendment, CLV shall refund \$260,000 from the current security deposit to the Henry Brent Company (Lady Luck).

RECOMMENDATION:

The 6/14/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Second Amendment of Lady Luck Parking Garage Lease

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

Under Item 4, COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Approval of a First Amendment to the Disposition and Development Agreement between the City of Las Vegas and the Urban Chamber of Commerce for the sale and development of a 3.344-acre parcel at the southwestern corner of Mount Mariah Drive and Martin L. King Boulevard, APNs 139-21-313-007 and -008 (010-290 and 010-300) - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Urban Chamber has requested an amendment to the disposition and development agreement approved by City Council on March 17, 2004. This First Amendment provides additional land and time to accommodate the tenants in the Business Center, including a retail bank tenant. The Urban Chamber has received a \$2,000,000 grant award from the Economic Development Administration which will allow the Chamber to proceed with construction. The City will maintain a Promissory Note secured by a Deed of Trust until construction of the Business Center is completed.

RECOMMENDATION:

The 6/14/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. First Amendment to the Disposition and Development Agreement
2. Award Letter from the Economic Development Administration dated July 22, 2004 for EDA Award No. 07-01-05466
3. Disclosure of Principals

MOTIONS:

WEEKLY - APPROVED as recommended - UNANIMOUS

MINUTES:

Under Item 4, COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

Under Item 4, COUNCILMAN WEEKLY requested this matter be pulled for discussion so that the representatives of the Urban Chamber could update the Council on this project.

HANNAH BROWN, Urban Chamber of Commerce, indicated this has been an ongoing five-year project. This is the last step to obtaining title in order to move forward with construction. LOUIE OVERSTREET thanked the Council for its support. He wished COUNCILMAN MACK well.

MAYOR GOODMAN interjected that he recently attended a wonderful event unique to the City of Las

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

Vegas, where various chambers of commerce joined for a luncheon to share ideas. It was wonderful to see a diversity of people representing various interests come together. MS. BROWN thanked the Mayor for agreeing to be key speaker at that luncheon. She also thanked him and COUNCILMAN WEEKLY for being so supportive of the Urban Chamber's efforts.

COUNCILMAN WEEKLY noted that he has faith that the development activity taking place in West Las Vegas will help with some of the issues.

(9:56 - 9:58/9:58 - 10:03)

1-1838/1-1906

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Approval of a First Amendment to the Lease Agreement whereby the Community Action Against Rape (CAAR) leases from the City of Las Vegas approximately 1,020 additional square feet of modular office space located on a portion of APN 139-27-708-014 located at 741 Veterans Memorial Drive - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Community Action Against Rape (CAAR) has requested to lease from the City of Las Vegas approximately 1,020 additional square feet of modular office space located on a portion of APN 139-27-708-014. CAAR will be responsible for utility connections/fees and all maintenance/repairs. CAAR continues to serve the needs of the community in their operation of a crisis intervention center.

RECOMMENDATION:

The 6/14/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

First Amendment to Lease Agreement

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

Under Item 4, COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Approval of a First Amendment to the Lease Agreement with the University of Nevada, Reno, Nevada Bureau of Mines and Geology, extending their Lease term until July 17, 2006 whereby they lease a portion of the rooftop located at 4747 North Rainbow, commonly known as Fire Station Number 9, for installation of a global positioning system - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The term of the lease will expire on July 17, 2005. This First Amendment will extend their Lease term until July 17, 2006. If the University of Nevada Reno Nevada Bureau of Mines and Geology is not in default of the Lease, they may request to renew the Lease for two additional terms of one year each.

RECOMMENDATION:

The 6/14/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. First Amendment to Lease Agreement
2. Site Map

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

Under Item 4, COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Approval of an Easement and Rights-of-Way from the City of Las Vegas (City) to the Las Vegas Valley Water District (LVVWD) for an approximate seven hundred square foot Easement and Rights-of-Way to service a portion of APN 137-12-101-008 located on Bureau of Land Management (BLM) leased land commonly known as Gilmore Cliff Shadows Park and Trail Head located in the vicinity of Alexander Road and Gilmore Avenue - Ward 4 (Brown)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In order to have water lines and appurtenance(s) to service the site, the City is granting an Easement and Rights-of-Way to LVVWD for water lines and appurtenance(s). A necessary part of this project is an approximate seven hundred square foot Easement and Rights-of-Way to service Gilmore Cliff Shadows Park and Trail Head on the property.

RECOMMENDATION:

The 6/14/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Easement and Rights-of-Way
2. Site Map

MOTIONS:

REESE - APPROVED Items 4-62 and 64-66 - UNANIMOUS with MACK abstaining on Item 62 because it involves the Lady Luck Parking Garage and a possible refund to his brother-in-law's (ANDREW DONNER) company

Item 63: APPROVED under separate action (see individual item)

MINUTES:

Under Item 4, COUNCILMAN WOLFSON reported that the Real Estate Committee met to review the Real Estate items on the Consent Agenda and joined with the recommendation of staff that each item be approved by the City Council.

(9:56 - 9:58)

1-1838

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: ADMINISTRATIVE

DIRECTOR: ELIZABETH FRETWELL

CONSENT **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Report and possible action concerning the status of 2005 legislative issues

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Staff will report on pending legislation of the 2005 Nevada State Legislature.

RECOMMENDATION:

It is recommended that the City Council accept the report and direct staff, if necessary.

BACKUP DOCUMENTATION:

None

MOTIONS:

REESE - ACCEPTED the Report - UNANIMOUS

MINUTES:

MAYOR GOODMAN thanked TED OLIVAS, Director, Government Community Affairs, for his fine job in handling legislative issues. MR. OLIVAS extended those words of appreciation to his and the City Manager's Office staff. The group effort was extremely helpful in making necessary communications to the legislators. The Carson City team included SABRA SMITH-NEWBY, Neighborhood Services, CHERI EDELMAN, Public Works, and himself. The coordination team in Las Vegas consisted of BETSY FRETWELL, CHRIS KNIGHT, GAIL HALL, VAL STEED, and ELAINE HOWARD.

MR. OLIVAS noted the City tracked over 500 of the 1,100 bills introduced during this session because they directly or indirectly related to local governments. He continued and gave the Council a report.

AB31, relating to Leisure Services, allows municipalities to keep confidential personal identifying information received from recreation participants. The bill was passed and sent to the Governor 6/4/2005.

SB115, relating to homeland security, allows municipalities to hold closed meetings regarding acts of terrorism. Staff fought hard on this bill; however, it did not pass the full assembly. The parties were divided on the subject of closed meetings, and there was a concern that the confidential meetings could be used with bad intentions.

SB290 is regarding the production of centennial license plates. The current law would require cessation of the centennial plates in December 2005. To date, the plates have been a huge revenue generator for

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

the City. The bill finally passed with a few amendments. The sunset provision was omitted, thereby allowing continued production of the plates, as long as the demand remains above a certain level.

AB312, pertaining to land sales, was successfully lobbied to include language that will not affect development of the 61 acres.

AB188 pertains to municipalities' ability to keep email databases kept by elected officials and local governments private. This bill passed.

With respect to appropriations for the academic medical center, there were two bills of interest. One bill appropriated \$1.5 million for advanced planning for the center; another one appropriated an additional \$4 million for the architectural design, engineering, and construction. In addition, the City was allocated \$390,000 over the biennium for the EVOLVE program.

In terms of revenue-related bills, the property tax was capped at 3% on owner-occupied residential property and at 8% on other property. A trailer bill making technical corrections was also passed. The consolidated tax bill to provide North Las Vegas with an extra \$10 million was fought vigorously, and the bill died. The bill to repeal all the franchise fees received by municipalities also died. However, a legislative committee on taxation, public revenue, and tax policy was created to analyze franchise fees. City staff will be heavily involved.

Regarding Local Government Oversight, a couple of bills were introduced relating to enterprise funds and business impact statements that were sponsored by the Nevada Taxpayers Association, with which City legislative staff worked very closely to mitigate any potential affects on City operations.

There was a lot of discussion concerning eminent domain. A few bills were introduced to better define what the process should be before a local government may implement the eminent domain process.

A bill was introduced regarding reorganization of the Board of Health. The results are positive for the City, because two representatives will be allowed on this board. COUNCILMAN REESE disagreed with the changes in this bill, because various municipalities, except the City and County, lost one seat. The City and County are the only government entities that will each have two seats on the board. This is unfair to him; all entities should have equal representation.

The bill to consolidate management of the bus shelters into the Regional Transportation Commission died after being fought vigorously. However, it re-emerged as an amendment to an unrelated bill, which passed after compromise. City staff tracked it as closely as possible; however, the bill was passed and the process is being looked into to determine transition to the Regional Transportation Commission.

Regarding safety bills, the more cops bill was passed. There was also a bill introduced requiring municipalities to install sidewalks within a one-mile radius of every school. While the safety of children is very important, this requirement would have a colossal fiscal impact on municipalities. Thus, an amendment creating a resolution was drafted, and it will be reviewed by the Southern Nevada Regional Planning Coalition for recommendation.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

Several bill drafts regarding homeless and mental health issues were at the forefront this session. In particular, a bill allowing the homeless to receive discounts on fees for ID cards. Another bill appropriated \$370,000 to the Community Triage Center in Southern Nevada to establish a mental health substance abuse screening and stabilization component. The County received a \$4.2 million appropriation to be used toward homelessness. This should also help the City in its fight against homelessness.

Changes were proposed relating to municipal election dates and to make non-partisan races partisan. Those bills were killed, as well as bills relating to restricting campaign contributions.

Some other bills of note include the \$300 million car registration rebate bill, the payday loan limit bill, and the Canadian drug bill. Those bills were approved. The State lottery, sales tax holiday, traffic camera, and gas tax bills did not pass.

Finally, MR. OLIVAS indicated that an in-depth final report would be forthcoming within the next two weeks.

(10:03 - 10:18)

1-2105

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: ADMINISTRATIVE
DIRECTOR: DOUGLAS A. SELBY

CONSENT **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

ABEYANCE ITEM - Discussion and possible action regarding a Memorandum Of Understanding (MOU) between the City of Las Vegas, City Parkway V, Inc., the University of Nevada School of Medicine and University of Pittsburgh Medical Center for the development of a new Academic Medical Center on a portion of the 61-acre site known as Union Park bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line, APNs 139-34-110-002 and 003 - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The master plan for Union Park has always included an Academic Medical Center. An intense collaboration among the City of Las Vegas, City Parkway V, Inc., the University of Nevada School of Medicine and University of Pittsburgh Medical Center is proposed to carry out this vision. The MOU envisions an enduring "partnership" in the development and implementation of clinical, educational and research activities and contains several concepts regarding the creation and management of hospital facilities; corporate governance; development and management of clinical programs; expansion of the University School Of Medicine educational and residency programs; and certain management and fiscal policies and objectives.

RECOMMENDATION:

Approval of authorization for the City and City Parkway V, Inc. to execute the MOU.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Memorandum Of Understanding
3. Location Map

MOTIONS:

GOODMAN - STRIKE - UNANIMOUS

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, requested this matter be stricken, as some of the components of the agreement have not been finalized. MAYOR GOODMAN noted that the City has been involved in serious discussions with persons in the medical community. Striking this matter at this time should not be construed as not going forward with the project.

(10:18 - 10:21)

1-2830

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved December 16, 2004 subject to six month review: Carol L. Hromadka, 3539 Pueblo Way, Las Vegas, Nevada 89109

Fiscal Impact:

No Impact

Amount:

Budget Funds Available

Dept./Division:

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Patricia Lynn Bault, 2538 Athena, Las Vegas, Nevada 89156

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Christina Denise Chiesa, 2007 Peyton Drive, Las Vegas, Nevada 89104

Fiscal Impact:

No Impact

Amount:

Budget Funds Available

Dept./Division:

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Marne N. Wiley, 2817 E. Stewart, Apt. 1, Las Vegas, Nevada 89101

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Camilya Reshuntae Victorian, 1428 Sandhill Road Apt. #1, Las Vegas, Nevada 89110

Fiscal Impact:

No Impact

Amount:

Budget Funds Available

Dept./Division:

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Thomas Joseph Williams, 522 West Washington, Las Vegas, Nevada 89106

Fiscal Impact:

No Impact

Amount:

Budget Funds Available

Dept./Division:

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTIONS:

REESE - Motion to bring forward and STRIKE Items 69, 70, 71, and 73 and Hold in ABEYANCE Items 72 and 74 to 7/6/2005 - UNANIMOUS

MINUTES:

There was no discussion.

(9:53 - 9:54)

1-1685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a One Year Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a One Year Review of a Restricted Gaming License for 7 slots.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Agenda Memo

MOTIONS:

WEEKLY - APPROVED subject to a review on 9/21/2005 and subject to the licensee adhering to the following conditions: 1) hire a licensed security firm to address loitering in the parking lot; 2) install a video surveillance system to aide in monitoring activity inside and outside the store; 3) post signs inside and outside the store, which notifies patrons of the video surveillance system; 4) work with Metro and the security to enforce trespassing of undesirable patrons; and 5) enforce the no loitering and no alcohol consumption within a thousand feet of the store regulation - **UNANIMOUS**

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

JIM DiFIORE, Manager, Business Services Division, Finance & Business Services Department

STACY RODD, Detective, Las Vegas Metropolitan Police Department

THAMER JARJEES

LAWRENCE WEEKLY, Councilman

STEVE WOLFSON, Councilman

(10:21 - 10:38)

1-2965/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Matt Pynch, LLC, dba Northwest Karate, 9749 Derbyhill Circle, Matthew R. Pynch, Mgr, Mmbr, 100% - Ward 2 (Wolfson)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License.

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Matt Pynch

MOTIONS:

WOLFSON - APPROVED the temporary license (with the intent of approving it subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period) - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(11:34 - 11:35)

2-2280

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Secondhand Dealer License subject to the provisions of the planning and fire codes, 2nd Swing, Inc., dba 2 Golf, 8689 West Charleston Boulevard, Suite 101, Robert M. Hiben, CFO, Mary C. Sim, Asst Secy (NOTE: Item to be heard in the afternoon session in conjunction with Item 133 - SUP-6372) - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Secondhand Dealer License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Karl Larson
3. Map

MOTIONS:

TARKANIAN - APPROVED - UNANIMOUS

MINUTES:

RICHARD CRANDLE, 4445 Oakview Lane, Plymouth Minnesota, appeared on behalf of Second Swing.

NOTE: See Item 133 [SUP-6372] for related discussion.

(5:58 - 6:01)

7-762

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, Ali United, Inc., dba Carniceria La Mexicana, 821 North Lamb Boulevard, Suites 8, 9 & 10, Mohammed-Saleem N. Ali, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler Off-sale License.

RECOMMENDATION:

Recommend approval subject to Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Mohammed-Saleem Ali
3. Map

MOTIONS:

REESE - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - UNANIMOUS

MINUTES:

The applicants were present.

JIM DiFIORE, Manager, Business Services, indicated the applicant met the criteria for temporary approval. He suggested approval as recommended.

COUNCILMAN REESE noted this is an application for a new license where one already existed.

(11:35 - 11:36)

2-2330

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT DISCUSSION

SUBJECT:

Discussion and possible action on a new Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, Pei Wei Asian Diner, Inc., dba Pei Wei Asian Diner, 10830 West Charleston Boulevard, Suite 110, Russell G. Owens, Dir, Pres, Secy, Treas, CFO, 2.63%, Richard L. Federico, Dir, CEO, P. F. Chang's China Bistro, Inc., 96.52%, Richard L. Federico, Dir, CEO - Ward 2 (Wolfson)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Beer/Wine/Cooler On-sale License.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Map

MOTIONS:

WOLFSON - APPROVED the license with the condition that beer only be sold in connection with meals served at the tables - UNANIMOUS

MINUTES:

DAVID KAZARIAN, Project Manager, appeared representing the application. He was accompanied by attorney ED GARCIA.

JIM DiFIORE, Manager, Business Services, indicated the backup contained some comments regarding the history of Pei Wei Asian Diner.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), was present.

COUNCILMAN WOLFSON confirmed with MR. DiFIORE that this is the business that was considering selling beer. MR. DiFIORE responded in the affirmative. He added that ATTORNEY GARCIA indicated the applicant agrees with the condition stipulated by code, which is that beer will be sold in connection with meals served at the tables. COUNCILMAN WOLFSON verified with ATTORNEY GARCIA and MR. KAZARIAN that they were in concurrence with this condition.

MAYOR GOODMAN discussed with MR. KAZARIAN that this restaurant is a more casual version of P. F. Chang's.

(11:36 - 11:38)

2-2386

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on a new Corporate Entity for a Tavern License and a Restricted Gaming License for 10 slots, From: Quality Commercial Maintenance, Inc., To: The Bunkhouse, LLC, dba The Bunkhouse, 124 South 11th Street, Charles J. Fox, Mgr, Mmbr, 100% - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Corporate Entity for a Tavern License and a Restricted Gaming License for 10 slots.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

None

MOTIONS:

TARKANIAN - APPROVED subject to the following conditions 1) any incidents to which Metro responds to the property and/or arrests or citations issued to anyone on the property must be reported in writing to Metro Special Investigations and Business Services Division within 48 hours; 2) no pay phones may be installed on the property; 3) a key-employee application must be submitted within 30 days if MR. FOX intends to be gone from the premise at least 50 percent of the time during operating business hours; 4) signs must be posted at the entrance and the bar that state "per LVMC 6.50.450(b), the sale of alcoholic beverages to a person who is intoxicated is unlawful"; and 5) the applicant must attend the monthly meetings of the Downtown Area Command's Chronic Nuisance Detail - **UNANIMOUS**

MINUTES:

The applicant was not present.

JIM DiFIORE, Manager, Business Services, explained that this matter was on the agenda because of an entity change. The Council had approved the extension of the temporary license with conditions. He recommended the conditions previously imposed be continued until the temporary license is due for review. He listed and outlined the conditions: 1) any incidents to which Metro responds to the property and/or arrests or citations issued to anyone on the property must be reported in writing to Metro Special Investigations and Business Services Division within 48 hours; 2) no pay phones may be installed on the property; 3) a key-employee application must be submitted within 30 days, if MR. FOX intends to be gone from the premise at least 50 percent of the time during operating business hours; 4) signs must be posted at the entrance and the bar that state "per LVMC 6.50.450(b), the sale of alcoholic beverages to a person who is intoxicated is unlawful"; and 5) the applicant must attend the monthly meetings of the Downtown Area Command's Chronic Nuisance Detail. COUNCILWOMAN TARKANIAN agreed with those conditions and motioned for approval.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

(11:38 - 11:41)

2-2481

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action regarding a new Restricted Gaming License for 5 slots subject to confirmation of approval by the Nevada Gaming Commission, Samcon, Inc., dba Tomfoolery Irish Pub and Eatery, 4300 Meadows Lane, Suite 2430, Sean T. Higgins, Dir, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Restricted Gaming License.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Map

MOTIONS:

TARKANIAN - APPROVED a temporary restricted gaming license, subject to a six-month (12/21/2005) review - motion carried with WEEKLY voting NO

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, reported that this application is contingent upon approval by the Nevada Gaming Commission at its meeting of June 23, 2005. At the March 16, 2005, City Council meeting, a temporary supperclub license was approved, with a review in September 2005. MR. DiFIORE recommended a temporary gaming license be approved, with a six-month review.

Before requesting that MR. DiFIORE explain the difference between supperclub and tavern licenses, COUNCILMAN REESE noted that he does not believe the subject location is appropriate for a 24-hour supperclub. He did not realize that an outside entrance to the mall was installed. He expressed concern about food not being available during the hours of operation.

MR. DiFIORE explained that the following primary regulations for a supperclub: a minimum of 125 seats; one barstool for every eight restaurant seats, one lounge chair for every three restaurant seats, a cook and a server, other than a bartender, must be available to serve full-course meals at all times the bar is opened, the food percentage versus the alcohol percentage ratio is 55% to 45%.

COUNCILMAN REESE insisted that this location serves as a tavern after 9:00 p.m. MR. DiFIORE agreed that noted violations have been observed by his staff and Las Vegas Metropolitan Police Department staff. These violations have been brought to the attention of MR. HIGGINS. They have addressed them three times in person, by phone, and in writing. Business Services staff has concerns

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

about the continued operation of this business; however, MR. HIGGINS has assured MR. DiFIORE that he will rectify the violations immediately.

MR. HIGGINS commented that the full menu is available during business hours, and that he has complied with the regulations. He has had discussions with his staff, and they have been advised that they will comply with the regulations of a supperclub, including having a full-service cook during hours of operation, if they want to continue their employment.

MAYOR GOODMAN cautioned MR. HIGGINS that he will be under close scrutiny. The Mayor and ASSISTANT CITY ATTORNEY JOHN REDLEIN have spoken and discussed that any violation of the supperclub regulations will not be tolerated, regardless of how nice the establishment is. MR. HIGGINS assured the Mayor that he fully understands the expectations of the City Council and MR. DiFIORE, and they will be followed. He is not going to jeopardize his privileged licenses.

D. J. STATS, President, Nevada PTA, appeared representing the nearly 20,000 PTA members in Clark County, who are in opposition to this application. The PTA members feel that allowing gaming in a mall establishment would encourage patrons to stay and drink longer. These patrons will then drive in the busy mall parking lot, which is full of families. The Meadows Mall already has stores that carry materials inappropriate for children. This license is just the beginning of MR HIGGINS' intentions to make this supperclub a full-blown tavern with more gaming. Approving this license will further degrade the safety wall that has already been damaged by voting to allow taverns in regional malls. The City has been set on a dangerous path.

TOM McGOWAN, Las Vegas resident, questioned the type of entertainment being featured at this establishment. Slot gaming is the major contributor of the destruction of quality entertainment, and they should not co-exist. In the interest of quality-of-life standards, he strongly recommended denial.

JUNE INGRAM, Charleston Neighborhood Preservation, appeared in adamant opposition to this application. Gaming does not belong in a mall where children are present. The neighbors are afraid this business might turn into a full-blown casino. MAYOR GOODMAN and MR. DiFIORE assured MS. INGRAM that there could never be a casino at this site.

COUNCILWOMAN TARKANIAN asked MR. DiFIORE to delineate some of his concerns that prompted him to recommend a temporary license. MR. DiFIORE answered that license officers observed that the 125-seat requirement was not met. At one time the bartender was also working as a cook. Also, the full-course menu was not offered during the full hours of operation of the bar and the restaurant.

COUNCILWOMAN TARKANIAN confirmed with MR. DiFIORE that he is not aware of any other 24-hour supperclubs such as this one. She then remarked that the process of establishing the supperclub Tomfoolery at Meadows Mall began long before she became a member of the Council. If she had been on the Council when the process started, she would have fought it vehemently. The record shows that COUNCILWOMAN TARKANIAN expressed concerns, even though she previously voted in support of this license when this matter was heard by the Council in March. At that time, MR. HIGGINS assured this Council that it should not worry. However, MR. DiFIORE'S report and other written information

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

received are cause for concern. She suggested to MR. HIGGINS that he be very diligent, if not perfect. If the Council trusts him, he needs to work harder to follow all the regulations. Finally, because of her deference to previous votes that came before she became a member of this Council, her recognition of the complexity of the situation, her meetings with MR. HIGGINS, and her respect for MR. DIFIORE and his recommendation, she motioned for approval of the temporary restricted gaming license, noting that the business could be shut down immediately if there is one single violation of the regulations.

MR. DiFIORE clarified that the Municipal Code authorizes him to suspend the license should any violations occur during the temporary period.

(11:41 - 11:56)

2-2610

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding Request for Proposals 050567-SB, Centennial Hills Community Center Operations and Management Services - Leisure Services Department - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Construction of the Centennial Hills Community Center, located at Buffalo Drive and Deer Springs Way, is scheduled to be complete in late 2006. In anticipation of the completion of this new facility, Request for Proposals 050567-SB was issued on April 13, 2005 to solicit proposals from qualified offerors to operate and manage the Center, which is located on land subject to the Recreation and Public Purposes Act.

The RFP evaluation team determined that the YMCA submitted the proposal most advantageous to the City for all elements of the facility except the Senior Center. The team determined that the Leisure Services Department proposal better met the needs of the Community.

Approval is requested for the Purchasing and Contracts Division to commence negotiations with the YMCA to develop a mutually acceptable contract that includes Leisure Services as the operator of the Senior Center. When negotiations are complete, Council approval will be requested prior to submittal of the final contract to the Bureau of Land Management.

PCC: S. Bradshaw
POC: Mike Lubbe - (702) 877-9622

RECOMMENDATION:

That City Council approve the commencement of negotiations with the YMCA of Southern Nevada for the operation and management of the Centennial Hills Community Center in partnership with the Leisure Services Department based upon submittals in response to Request for Proposals 050567-SB.

BACKUP DOCUMENTATION:

1. Certificate - Disclosure of Ownership / Principals
2. Financial Comparison
3. Centennial Hills Community Center Evaluation Team Selection Recommendation Summary dated May 20, 2005
4. 6/1/2005 Council transcript
5. Submitted at meeting: Cover sheet of Councilman Michael Mack and LVCEA Meeting with attached LVCEA Summary Grievance Report, Step 1 Grievance Report, Step 2 Grievance Report, Step 3 Grievance Report, Arbitration/EMRB Grievance Report, and Settled Grievance Report

CITY COUNCIL MEETING OF: JUNE 15, 2005

MOTIONS:

MACK - APPROVED to move forward with good-faith negotiations with the YMCA - UNANIMOUS

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

KATHY RAINEY, Manager, Purchasing and Contracts

MORGAN DAVIS, Deputy City Attorney

TOMMY RICKETTS, President, Las Vegas City Employees Association

STEVE WOLFSON, Councilman

LOIS TARKANIAN, Councilwoman

GARY REESE, Councilman

LAWRENCE WEEKLY, Councilman

MICHAEL MACK, Councilman

MIKE LUBBE, CEO of the YMCA

BRAD JERBIC, City Attorney

LARRY BROWN, Councilman

BARBARA JO RONEMUS, City Clerk

(10:38 - 11:34)

2-224

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

CONSENT DISCUSSION

SUBJECT:

ABEYANCE ITEM - Report and possible action on the Governor's Workforce Housing Initiative of Nevada (WHIN) regarding potential Bureau of Land Management sites for affordable housing - All Wards

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Nevada State Housing Division has contacted the city of Las Vegas to inquire if the city would be willing to identify potential pieces of Bureau of Land Management (BLM) properties within the city limits which the city might consider for endorsement to the BLM that they be deeded to the State for the purpose of creating affordable housing.

RECOMMENDATION:

Receive report from Lon DeWeese of the State of Nevada Housing Division and direct staff to proceed in identifying potential BLM sites and develop a list of city specifications for development of each site to include affordable housing.

BACKUP DOCUMENTATION:

Submitted after meeting: hardcopy of PowerPoint

MOTIONS:

REESE - RECEIVED the Report and authorized staff to follow up on this initiative - UNANIMOUS

MINUTES:

ORLANDO SANCHEZ, Director, Neighborhood Services, stated that LON DeWEESE, of the State Housing Division, was present to give a short presentation on the Governor's Workforce Housing Initiative of Nevada (WHIN) program. One of the Council's eight priorities is to encourage affordable housing within the City of Las Vegas. At the April 20, 2005, meeting, the Council approved the CLT concept, which coupled with this Initiative, will enable the City to make great strides in trying to bring affordability into the City of Las Vegas. Partnerships have already been formed with the State of Nevada, Clark County, City of Henderson, North Las Vegas, and Boulder City.

MR. DeWEESE used a PowerPoint presentation to briefly go over some of the demographics and some of the changes that have come about over the past year, specifically, the major shift in median sales prices of homes in Clark County. Referring to the graphs, he indicated that economists are seeing phases of hyperinflation, especially when the sales market price is increasing in excess of 1.5% each month. The distribution of the housing market through the period of 2003 and 2004 is skewed. In 2004, the average price for a home was \$235,000, a 41% drop in the number of houses the workforces that populate the majority of positions in Clark County can afford. The average home in 2005 is approximately \$305,000.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

The importance of this has to do with how incomes match up against housing prices. Historically, the ratio of a median sale price relative to a median income, from the 1990s to 2000, the average was over 3.3 times the median income. However, in 2004 and 2005, that 3.3 average exploded upwards to 5.1 times the median sale price versus median income. This 41.2% decline in affordability is driving Clark County very close to what it is like to live in Southern California.

The median household income is barely at \$56,000 and about \$54,000 from 2002 on. This flat income translates to about a 2.2% increase a year. Which, when measured against the Bureau of Land Management's (BLM) land limitations to people whose income is no more than 80%, leaves families that are in the 43,000 to \$45,000 income range. If this is measured against the amount that can be borrowed, that leaves people who can only spend about \$13,000 for a home, which, given the current interest rates, these people could only afford a home with a maximum sales price of \$31,000. The affordability gap is astronomical and cannot be closed by natural forces of interest rates. Approximately 785,000 people are in positions with an average income of \$21,799 to \$46,451, and they cannot afford a house in this market.

In looking at the immediate needs of people migrating to Nevada, once people have been here for awhile, they start to move into single-family housing, which require roads and infrastructure services, and, on a long-term basis, higher education, libraries, and public safety. The problem is that the immediate needs have the greatest cost. At an intermediate basis, there is still a mismatch between services relative to revenue and income. On a long-term basis, once people move into ownership possession, they start to contribute more property taxes and start to pay back for the services they consume. Thus, the services are substantially high and the taxes generated by the people moving into Nevada start to pay off at a point of about five to ten years. But if growth continues at the current pace, the date when the tax base expands sufficiently to meet the social needs of the community will never cross.

The reason why BLM land is so critical is because the 87.8% of land in Nevada is tied up in federally owned property. This is the largest percentage anywhere in the United States. The first step in the Workforce Housing Initiative is to enter into an agreement between the State of Nevada and the BLM. The agreement has been drafted and was submitted to the Deputy Secretary of the Department of Interior on March 9.

MR. DeWEESE outlined the remainder of the nine steps in the WHIN Program. The land will be held in the land trust, and there will be a ground lease. The structure on the property will be owned on a straight deed of trust with the mortgagor.

Regarding rental units, the current situation is that there are very few units available anywhere to rent. It is a worrisome trend that is causing multiple families to share a rental property. The factual trend is that the number of rental units is going down because land costs prevent people from being able to assemble land in large enough parcels to build multi-family units and because of the accelerated conversion of older apartment dwellings into condominiums. Thus, in 2005, the cost of land is approximately 40% of the price of a house. The overall economic impact on rental rates is in excess of 3% a quarter.

With regard to the WHIN program in term of multifamily projects, the first five layers are identical to

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

the Housing Initiative. The big difference comes in Step 6, which involves complicated deals because of the income limitations, many layers of structured finance, tax exempt bonds, credit enhancements, and construction lending. So, it is quite a bit different from issuing single-family tax exempt bonds and putting together a mortgage pool.

The Governor has indicated that his priority would be single-family detached housing; however, in conjunction with local jurisdictions, an extreme need for clustered single-family housing has been identified. Local jurisdictions will have key input on the mix. He presented possible mixes of single, cluster, multi-family homes, as well as renderings of various housing projects. Finally, MR. DeWEESE outlined the goals and timelines.

MAYOR GOODMAN noted that L'Octaine is going to have a formal grand opening and encouraged teachers to look into it because they will receive an apartment at market rate. He then stated that it is a sad and scary report. The American dream is home ownership, but this program would shift that dream into home occupancy rather than ownership. MR. DeWEESE did not feel the American dream is lost. But, under the current situation, it is going to be extremely difficult to find sufficient land, without moving the periphery of the cities and the development boundary the BLM has established, to be able to fulfill a stand-alone single-family dwelling demand relative to the supply.

MAYOR GOODMAN said he hopes BLM owns land in the inner-core of the City, because it is important to have people willing to live in the urban environment. MR. DeWEESE commented that urban opportunities will have to be in more vertically oriented living space as opposed to the stand-alone single-family dwelling. MAYOR GOODMAN stated that is one of the issues with some of the high-rise condominiums. These are real problems the Council is obligated to resolve. But he has confidence that MR. SANCHEZ will be perfectly able to work closely with the Governor. It is a worthy project that he believes the City will fully support.

COUNCILWOMAN TARKANIAN said it is a very sobering report. She requested a copy of the report be sent to her. She then asked MAYOR GOODMAN if management could look into receiving affordable housing in exchange for benefits to some of the high-rise developers. MAYOR GOODMAN said the term for that is "inclusionary" zoning. As more density comes to the downtown area, the City will have to look at that very carefully, because he does not want to loose the teachers, the nurses, the secretaries, and the young professionals to the rural areas.

MAYOR GOODMAN noted that the Council recently earmarked \$500,000 of set-aside funds for teachers who will be coming into the Valley. They can receive up to \$30,000 each. This is something the Governor should consider offering. If the teachers work in a high-risk school and they teach math or science for ten years, the property vests in them. These types of incentives could blossom into home ownership.

COUNCILMAN REESE commended MR. DeWEESE for giving a great report.

(11:56 - 12:27)

2-3413

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on a request to install Speed Humps on Willoughby Avenue between Constantine Avenue and 29th Street (\$9,600 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$9,600.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Traffic Engineering
<input type="checkbox"/>	Augmentation Required	Funding Source:	Neighborhood Traffic Management Program

PURPOSE/BACKGROUND:

Residents on Willoughby Avenue between Constantine Avenue and 29th Street are requesting the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 33 mph and the volume of traffic was 324 vehicles per day. Willoughby Avenue accumulated 17 points; a total of 40 points is necessary to meet the speed hump criteria. It is not an emergency response route.

RECOMMENDATION:

Staff: Denial

BACKUP DOCUMENTATION:

Map

MOTIONS:

REESE - APPROVED installation of the speed humps - UNANIMOUS

MINUTES:

RICHARD GOECKE, Director, Public Works, reported that only 17 points were accumulated where a total of 40 were necessary to meet the speed hump criteria. COUNCILMAN REESE countered that the installation of speed humps is necessary in order to preserve the neighborhood, through which drivers cut through and race. The safety measure is necessary to protect the residents and the children that attend the nearby schools. He thanked the Council for its support.

(12:27 - 12:28)

3-911

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD GOECKE

CONSENT **DISCUSSION**

SUBJECT:

Discussion and possible action on a request to install Speed Humps on Constantine Avenue between Willoughby Avenue and 29th Street (\$9,600 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$9,600.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Public Works/Traffic Engineering
<input type="checkbox"/>	Augmentation Required	Funding Source:	Neighborhood Traffic Management Program

PURPOSE/BACKGROUND:

Residents on Constantine Avenue between Willoughby Avenue and 29th Street are requesting the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 25 mph and the volume of traffic was 550 vehicles per day. Constantine Avenue accumulated 6 points; a total of 40 points is necessary to meet the speed hump criteria. It is not an emergency response route.

RECOMMENDATION:

Staff: Denial

BACKUP DOCUMENTATION:

Map

MOTIONS:

REESE - APPROVED installation of the speed humps - UNANIMOUS

MINUTES:

RICHARD GOECKE, Director, Public Works, was present.

NOTE: See Item 84 for related discussion.

(12:27 - 12:28)

3-911

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT DISCUSSION

SUBJECT:

RESOLUTIONS:

R-59-2005 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (VIP) Agreement between the Redevelopment Agency and PEL Enterprises, LLC, located at 1013 East Charleston Boulevard, to be in compliance with and in furtherance of the goals and objectives of the Redevelopment Agency - Ward 5 (Weekly) [NOTE: This item is related to Redevelopment Agency Item 3 (RA-6-2005) and to Redevelopment Agency Item 4]

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This is a related item to discussion and possible action regarding assisting PEL Enterprises, LLC, with the cost of visual improvements to the professional building at 1013 East Charleston Boulevard. Approval will adopt findings that the Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Resolution No. R-59-2005
2. Commercial VIP Agreement
3. Site Map

MOTIONS:

WEEKLY - APPROVED as recommended - UNANIMOUS

NOTE: COUNCILMAN WOLFSON disclosed that he owns a building on the corner of 7th and Bonneville. He indicated he would be voting, since no action today is going to improve his property more or less than anybody else's property.

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, advised that there are three actions associated with VIP approvals: a resolution by the Council consenting to the undertakings of the Redevelopment Agency, a resolution by the Agency indicating that the project is consistent with the redevelopment goals and objectives and that there are no other reasonable funds available, and an action to approve the VIP Agreement and the funding of \$25,000 to fund the project.

MR. ADAMS pointed out that this project is located between Charleston and Garces, near 10th Street. He showed a drawing of the current building and a drawing of the building with the intended renovations. The building would accommodate a law firm. The City will fund \$25,000 and the company

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

would match \$55,000. The site is not in one of the target areas; therefore, the VIP program requires that funds be matched two to one. Staff recommends approval.

STEVEN LEWIS said he and his wife are the two members of PEL Enterprises, and they are very excited about the redevelopment activity occurring downtown. He commended the City for starting the VIP program.

COUNCILMAN WEEKLY said the VIP program is very exciting to business individuals such as MR. LEWIS. The City gives a little, but, in the end, it gains a lot. He asked MR. ADAMS how individuals are selected to participate in this program. At one point there were businesses on Carson Street interested in visual improvements. MR. ADAMS indicated that staff has done everything possible to promote the program. It is targeted primarily to three corridors, Main Street, Martin Luther King Boulevard, and Eastern Avenue. But anybody in the redevelopment area is eligible. There are still funds available. Any interested individual can submit a plan for improvements.

NOTE: Items 3 and 4 of the 6/15/2005 Redevelopment Agency meeting contain duplicate minutes.
(1:37 - 1:44)
4-331

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

CONSENT DISCUSSION

SUBJECT:

RESOLUTIONS:

R-61-2005 - Public hearing and possible action on a Resolution to Augment and Amend the City of Las Vegas Fiscal Year 2005 General Fund Budget in the amount of \$22,700,000

Fiscal Impact:

<input type="checkbox"/> No Impact	Amount:	\$22,700,000.00
<input type="checkbox"/> Budget Funds Available	Dept./Division:	Finance and Business Services
<input checked="" type="checkbox"/> Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

Augment and amend the Fiscal Year 2005 General Fund Budget in the amount of \$22,700,000. The augmentation is consistent with direction given by City Council to fund the Capital Project Plan.

RECOMMENDATION:

Staff recommends approval of the augmentation and amendment to the General Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-61-2005
2. Exhibit A - Revenues
3. Exhibit B - Expenditures
4. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

REESE - APPROVED as recommended - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, indicated this matter is routine. Throughout the course of the year, the Council provides direction to staff to make certain transfers, adjustments, and augmentations to the budget. Those are accumulated at the end of the year, and staff comes forward with recommendations. A public hearing is required under NRS anytime a fund that has property taxes or a revenue source is augmented. Approximately \$23.3 million in revenues were available this year that were not budgeted for use. In accordance with direction by Council at the budget hearings, \$20.9 million will go toward the capital project program, \$1.3 million will go toward internal service funds, \$1 million toward special revenue funds, and \$100,000 toward the enterprise funds.

TOM MCGOWAN asked if an increase in budget funds was approved for the City Clerk's Office. If yes, in what amount? MR. VINCENT could not recall if any positions were approved. MR. MCGOWAN recommended the City Clerk's Office budget be increased substantially in order to avoid any undue burden or understaffing, so that it can continue to produce vital minutes ready for approval, in accordance with the Nevada Open Meeting Law Manual.

MAYOR GOODMAN declared the Public Hearing closed.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

(12:30 - 12:33)

3-1003

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT DISCUSSION

SUBJECT:

BOARDS AND COMMISSIONS:

TRAFFIC SIGNAL CAPITAL IMPROVEMENTS ADVISORY COMMITTEE - Ted Carry, Term Expiration - Until Replaced (Passed Away)

Fiscal Impact:

- | | |
|-------------------------------------------------|-----------------|
| <input checked="" type="checkbox"/> No Impact | Amount: |
| <input type="checkbox"/> Budget Funds Available | Dept./Division: |
| <input type="checkbox"/> Augmentation Required | Funding Source: |

PURPOSE/BACKGROUND:

In accordance with NRS 278B.150, to proceed with the implementation of an impact fees system, a capital improvement advisory committee was created by the City of Las Vegas. The Traffic Signal Capital Improvement Advisory Committee consists of nine members with two members from the development industry. The term of appointment for this board is at the pleasure of the City Council and serve until replaced, with no limit to the number of terms that may be served. Mr. Carry was appointed as a Ward 5 representative, therefore Councilman Weekly will need to appoint a new representative to this board.

RECOMMENDATION:

It is recommended by the Department of Public Works that Councilman Weekly appoint Vernell P. McNeal to fill this vacant seat.

BACKUP DOCUMENTATION:

1. Current Board Listing
2. Board Interest Form from Vernell P. McNeal

MOTIONS:

WEEKLY - Motion to APPOINT VERNELL P. McNEAL, (Weekly's recommendation), 100 S. Martin Luther King #2335, Las Vegas, Nevada 89106 - UNANIMOUS with GOODMAN not voting

Clerk to notify

MINUTES:

There was no discussion.
(12:33 - 12:34)
3-1131

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

BOARDS AND COMMISSIONS:

CIVIL SERVICE BOARD OF TRUSTEES - Barbara Loupe, Term Expiration 3-15-2008 (Moved Out of the City of Las Vegas)

Fiscal Impact:

<input type="checkbox"/>	No Impact	Amount:	\$1,200.00
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division:	Human Resources
<input type="checkbox"/>	Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The Board of Civil Service Trustees is comprised of 5 members appointed by the City Council. Members of this board must be City residents and attendance is compensatory at \$50 per meeting. Members are limited to two full terms and there is no requirement to fill an unexpired portion of a term. Ms. Loupe has moved out of the City of Las Vegas and has resigned from the board. A new member will need to be appointed to fill the vacant seat.

RECOMMENDATION:

Procedure for this Board requires appointment by the City Council.

BACKUP DOCUMENTATION:

1. Current Board Listing
2. Letter of Resignation from Barbara Loupe
3. Board Interest Forms from Susan Dingle, Reverend Chester Richardson and Shaun Schoener

MOTIONS:

REESE - ABEYANCE to 7/6/2005 - UNANIMOUS with GOODMAN not voting

MINUTES:

There was no discussion.

(12:34)

3-1149

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: ADMINISTRATIVE
DIRECTOR: DOUGLAS A. SELBY

CONSENT DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Discussion and possible action on a revised transfer of Real Estate Agreement with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas - Ward 6 (Mack)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Nevada Divisions of State Parks and State Lands were directed by Governor Guinn and authorized by Nevada State Senate Bill 444 and Assembly Bill 287 to enter into negotiations with the City of Las Vegas regarding the transfer of Floyd Lamb State Park. The City Council at its regular meeting on April 20, 2005 approved a proposed transfer agreement for the transfer of Floyd Lamb State Park. The agreement did not meet the statutory requirements of maintaining all state-owned lands as passive recreation. The State did not acquire agreement of an interpretation from the Legislature to allow for the active use of state lands other than the 60-acre core area. The agreement has been revised to commit to all of the state-owned lands remaining in passive recreation.

RECOMMENDATION:

The 6/14/2005 Real Estate Committee forwarded this item with no recommendation. Staff will follow direction of City Council.

BACKUP DOCUMENTATION:

1. Real Estate Transfer Agreement
2. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

MACK - APPROVED - motion carried with REESE, WEEKLY, and TARKANIAN voting NO

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

- GARY REESE, Mayor Pro Tem Reese
- CHRIS KNIGHT, Director, Administrative Services
- OSCAR GOODMAN, Mayor
- LARRY BROWN, Councilman
- BRAD JERBIC, City Attorney
- MICHAEL MACK, Councilman
- BETSY FRETWELL, Deputy City Manager
- STEVE WOLFSON, Councilman
- TOM GREEN, Deputy City Attorney

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

LOIS TARKANIAN, Councilwoman
TOM McGOWAN, Las Vegas resident
(12:34 - 1:04)
3-1177

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Discussion and possible action regarding a First Amendment to the Disposition and Development Agreement (DDA) between CityMark Development LLC, (CityMark) and Office District Parking I, Inc., for the site located at 3rd Street and Bonneville Avenue, totaling approximately 2.38 acres (the Site) APNs 139-34-311-095 to -102 and -105 to -110 - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Office District Parking I, Inc., a wholly owned subsidiary of the City, was previously authorized to enter into a DDA with CityMark to develop an urban density residential loft and mixed-use project of approx. 460,000 SF with approx. 350 residential units for sale at market rate (including 13 live/work units), approx. 8,600 SF of street level retail space, and approx. 550 parking spaces on the Site. The First Amendment will modify certain terms of the DDA to facilitate CityMark beginning construction on the Site by the end of 2005, rather than July 2006 as originally specified in the DDA.

RECOMMENDATION:

Authorize the President of Office District Parking I, Inc., to execute a First Amendment to the Disposition and Development Agreement with CityMark Development LLC, for the Site.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. First Amendment to the Disposition and Development Agreement
3. Disclosure of Principals
4. Site Map
5. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

TARKANIAN - APPROVED as recommended - UNANIMOUS with MACK not voting

MINUTES:

ALEX BEATON, CityMark, was present.

SCOTT ADAMS, Director, Office of Business Development, reviewed the information under the Purpose/Background section. The First Amendment also includes a provision allowing the developer to relocate the utilities from the alley at its expense prior to close of escrow. Staff recommends approval.

MAYOR GOODMAN questioned the price range of the units. MR. BEATON answered that the prices will range from 300,000 to \$700,000 to target people who live and work in Las Vegas. The goal is to commence construction in October 2005 with a completion date of July 2007.

(1:04 - 1:07)

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

3-2413

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Discussion and possible action regarding a Disposition and Development Agreement between the City of Las Vegas and Expertise School of Beauty, LLC, for the sale and development of an approximately 0.98 acre parcel located at the northwest corner of Stella Lake Street and Mount Mariah Drive in the Las Vegas Enterprise Park (a portion of APN 139-21-313-001) - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Expertise School of Beauty, LLC, (Developer) will purchase a 0.98 acre site for the purpose of constructing a 13,107 square foot cosmetology school. The Developer is expected to create an additional six (6) jobs over the next two (2) years. The reason for selling the land to the Developer below market is that there is the desire to keep this West Las Vegas business in the area and will retain and create new jobs. The City will have a Quitclaim Deed and Irrevocable Escrow Instructions on the property to allow the City to regain Title to the land if the project is not completed by March 2006.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Disposition and Development Agreement
3. Disclosure of Principals
4. Site Map

MOTIONS:

WEEKLY - APPROVED as recommended - UNANIMOUS

MINUTES:

GWEN GRAMO, was present. She thanked COUNCILMAN WEEKLY for all his support.

SCOTT ADAMS, Director, Office of Business Development, reviewed the information under the Purpose/Background section. The school would create about six jobs and become a job training center for the entire Valley. Staff recommends approval.

MAYOR GOODMAN raised concern about the dates in the backup, which indicates that if the project is not completed by March 2006, the property would revert to the City. MS. GRAMO indicated that she filed a commitment letter on June 15, 2005, with the bank for the other half of construction. SBA approval has been received, and she is ready to commence construction at the end of July or beginning of August of 2005. They should be in the building by January 2006. MR. ADAMS indicated that all the dates are in sync in the schedule of performance.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

(1:07 - 1:10)

3-2533

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

CONSENT DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Discussion and possible action regarding an Exclusive Negotiation Agreement with The Henry Brent Company, LLC, (the Lady Luck) regarding negotiation of a Disposition and Development Agreement for parcels located at 4th Street and Stewart Avenue totaling approximately 5.49 acres, APNs 139-34-501-004 and -006 (receipt of \$100,000 deposit) - Ward 5 (Weekly)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Henry Brent Company, LLC, (Henry Brent) has submitted an unsolicited offer to lease with an option to purchase for development, parcels located at 4th Street and Stewart Avenue (Site). Short-term, Henry Brent proposes to use the Site as a construction staging area during the remodel of the south side of Stewart Avenue adjacent to the Lady Luck Hotel Casino. Long-term, the City and Henry Brent will negotiate and define a scope of development in accordance with the highest and best use for the Site as defined in master plan to be paid for by Henry Brent.

RECOMMENDATION:

Authorize the Mayor to execute an Exclusive Negotiation Agreement with The Henry Brent Company, LLC, in order to negotiate a DDA for the Site.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Exclusive Negotiation Agreement
3. Disclosures of Principals
4. Site Map
5. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

WEEKLY - APPROVED contingent upon open space being provided and that the final agreement complies with AB312 - UNANIMOUS with MACK abstaining to avoid any conflict because his brother-in-law, Andrew Donner, is part owner of The Henry Brent Company, which is a solicitor of this item

MINUTES:

SCOTT ADAMS, Director, Office of Business Development, reviewed the information under the Subject and Purpose/Background sections. This 180-day Exclusive Negotiation Agreement (ENA) will enable Henry Brent, at its expense, to master plan the entire block. This plan will show how Henry Brent's proposed project would fit into the context of the balance of downtown. At the end of the period, City staff would evaluate the plan and focus on a first phase that would occur in the location of the park. He referred to a diagram on the overhead and stated that the site is unusually subdivided. Staff would use the plan and Henry Brent's vision for this block to negotiate a development agreement for a phase

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

one that would probably just include the park portion of the entire block. Henry Brent will be required to put up a \$100,000 security deposit. The final DDA will be brought to Council for consideration.

MAYOR GOODMAN asked DEPUTY CITY MANAGER FRETWELL what affect this matter will have on the City's plans to open the museum. DEPUTY CITY MANAGER FRETWELL answered that it would not have an adverse affect. In fact, it might be helpful. A complete master plan for the site might bring a constructive partnership with the Lady Luck/Henry Brent Company. There might be funding opportunities the City could take advantage of if a good partnership is crafted. Hence, there are deed restrictions the City must comply with, in accordance with the agreement with the National Park Service and GSA. Any partnership would have to remain separate, but there could be a more consistent use in the overall development of the entire site. MAYOR GOODMAN then confirmed with DEPUTY CITY MANAGER FRETWELL that this project would not have any bearing on the plans for a new City Hall on the 61-acre parcel.

At the Mayor's request, MR. ADAMS reported on discussion about the Downtown Transportation Center being a part of Henry Brent's plan. The ENA specifically recognizes that both the post office and the bus terminal are subject to significant deed and funding restrictions. The idea is to create a vision of the highest and best use for the block and show how it could be developed, with a focus on the park parcel. Should the bus terminal be relocated at a later date, there would be the ability for Council to grant an option to continue with the plan.

MAYOR GOODMAN asked CITY ATTORNEY JERBIC if this agreement is consistent with AB312 regarding property transfers. CITY ATTORNEY JERBIC replied that entering into an ENA at this time is appropriate. At the end of the timeframe, a contract may have to be drafted that is consistent with AB312, which is believed to take effect October 1, 2005.

COUNCILWOMAN TARKANIAN noted that she was concerned about the elimination of some of the park, but, as she understands it, this development will include green space. TODD KESSLER, 450 Fremont Street, Suite 310, indicated, on behalf of the applicant, that open space will be provided for the general public. He is very excited to be doing business in Downtown Las Vegas. The Henry Brent Company is aware of the specific requirements and restrictions with the post office and the bus terminal. Although the Company shares the vision of the Council, it has no pre-conceived notions for the master plan. Henry Brent Company is open to discussion.

COUNCILMAN WEEKLY said the Henry Brent Company follows through on its commitments. He is very glad to see this particular company is excited about doing business downtown.

(1:10 - 1:23)

3-2685

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-33 - Requires garage or yard sales to be registered with the Department of Neighborhood Services. Sponsored by: Councilman Michael Mack

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The City's zoning regulations limit the frequency of garage or yard sales and impose conditions on their operation, but enforcement has been difficult. It has been determined that requiring the registration of these events will help the City monitor and enforce the regulations. A voluntary registration program has been in effect and has produced positive results.

RECOMMENDATION:

The 6/14/2005 Recommending Committee forwarded this item with no recommendation.

First Reading - 6/1/2005; First Publication - 6/4/2005

BACKUP DOCUMENTATION:

1. Bill No. 2005-33
2. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation for Item 95 [Bill 2005-33] and Bill 96 [Bill-2005-34] (filed under Item 95 [Bill 2005-33])
3. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

MACK - STRIKE - UNANIMOUS

MINUTES:

COUNCILMAN MACK stated that his intent with this ordinance was to help clean up and maybe preserve the urban core areas, where there are more concerns with garage/yard sales. The current code allows two garage sales a year. Staff was looking at establishing a system online to enable staff to monitor garage sales. There was also a concern with garage sale signs not being taken down. However, there have been some concerns from his colleagues. He hopes COUNCILMAN-ELECT ROSS could carry forward this ordinance. COUNCILMAN MACK requested this matter be held for 30 days so that COUNCILMAN-ELECT ROSS could be briefed.

MAYOR GOODMAN opposed it, because it is just more government meddling in garage sales, which is the American way.

COUNCILMAN REESE said he is concerned that many of the residents in Ward 3 do not have a computer and could not access the system.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

CHIEF CITY ATTORNEY VAL STEED interjected that the bill could not be held because it was already published and it will die. COUNCILMAN REESE indicated he would re-introduce the bill if there is still a strong desire to bring it back.

(1:23 - 1:27)

3-3370

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-34 - Allows smaller retail establishments to obtain a waiver of the minimum distance requirement between a liquor establishment (on-sale/off-sale/on-off-sale) and certain protected uses. Sponsored by: Councilman Michael Mack

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

City zoning regulations require a 400' distance separation between a liquor establishment (on-sale/off-sale/on-off-sale) and certain protected uses, such as churches, school, certain child care facilities, and City parks. The separation requirement can be waived in certain circumstances. This bill allows smaller retail establishments, such as pharmacies, small markets and certain convenience stores, to ask for a waiver under specified conditions. By itself, the bill does not authorize any waiver; it merely allows an applicant to seek a waiver in connection with special use permit approval.

RECOMMENDATION:

The 6/14/2005 Recommending Committee forwarded this item with no recommendation.

First Reading - 6/1/2005; First Publication - 6/4/2005

BACKUP DOCUMENTATION:

1. Bill No. 2005-34
2. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation for Item 95 [Bill 2005-33] and Bill 96 [Bill-2005-34] (filed under Item 95 [Bill 2005-33])
3. Submitted after meeting: copy of written comments of Tom McGowan

MOTIONS:

MACK - STRIKE - UNANIMOUS

MINUTES:

COUNCILMAN MACK remarked that he introduced this ordinance to allow drug stores to have the ability for this use in certain areas. But there have been many concerns from his constituents and some of his colleagues. Therefore, he motioned to strike this bill.

(1:27 - 1:29)

4-50

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-31 - Annexation No. ANX-6173 - Property location: Along the east side of Kevin Way, approximately 340 feet north of Centennial Parkway; Petitioned by: Phyllis M. Frias Management Trust; Acreage: 1.30 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located along the east side of Kevin Way, approximately 340 feet north of Centennial Parkway. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 15, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 7/6/2005 City Council meeting pursuant to the 6/14/2005 Recommending Committee.

First Reading - 6/1/2005; First Publication - 6/24/2005

BACKUP DOCUMENTATION:

None

MOTIONS:

None required.

MINUTES:

Recommendation noted.

7/6/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-32 - Annexation No. ANX-6175 - Property location: Along the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road; Petitioned by: England, LLC; Acreage: 5.20 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located along the south side of Rome Boulevard, approximately 340 feet east of Shaumber Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 15, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 7/6/2005 City Council meeting pursuant to the 6/14/2005 Recommending Committee.

First Reading - 6/1/2005; First Publication - 6/24/2005

BACKUP DOCUMENTATION:

None

MOTIONS:

None required.

MINUTES:

Recommendation noted.

7/6/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2005-35 - Annexation No. ANX-5163 - Property location: On the south side of Centennial Parkway, east of Puli Drive; Petitioned by: Bridgekeeper LLC, et al.; Acreage: 62.09 acres; Zoned: R-U (County zoning), U (PCD) and U (PF) (City equivalents). Sponsored by: Councilman Michael Mack

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the south side of Centennial Parkway, east of Puli Drive. The annexation is at the request of the property owners and the City, with a statement of non-objection having been filed by the Bureau of Land Management as an additional owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 29, 2005) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-35 and Location Map

MOTIONS:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

7/5/2005 Recommending Committee

7/6/2005 Council Agenda

There was no discussion.

(1:29 - 1:30)

4-91

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2005-36 - Allows indoor commercial recreation/amusement facilities in the O (Office) Zoning District by means of special use permit. Sponsored by: Councilman Larry Brown

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Indoor commercial recreation/amusement facilities currently are not permitted in the O (Office) Zoning District. This bill will allow such uses in the O District by means of special use permit and will establish minimum conditions to ensure compatibility.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-36

MOTIONS:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

7/5/2005 Recommending Committee

7/6/2005 Council Agenda

There was no discussion.

(1:29 - 1:30)

4-91

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2005-37 - Allows certain nonconforming uses to be relocated on the same parcel or within the same commercial subdivision. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Certain types of uses may be expanded or continued following redevelopment when they have been made nonconforming by certain events beyond the control of the persons conducting the use. However, current regulations are not clear whether such uses can be relocated on the same parcel or within the same commercial subdivision. This bill will clarify the circumstances in which such relocation may happen.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2005-37

MOTIONS:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

7/5/2005 Recommending Committee

7/6/2005 Council Agenda

There was no discussion.

(1:29 - 1:30)

4-91

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

CONSENT **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-38 - Amends Ordinance No. 5697 (creating Special Improvement District No. 607 - Providence) previously adopted May 19, 2004, and approves the First Amendment to the District Financing Agreement related thereto. Proposed by: Richard D. Goecke, Director of Public Works

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Ordinance No. 5697, adopted May 19, 2004, provided for the acquisition, construction, and installation of street, storm sewer, sanitary sewer, and water projects in the District. This Bill will amend Ordinance No. 5697 to adjust the district boundary and revise the project costs and descriptions. The Bill will also amend the District Financing Agreement related to this project.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2005-38
2. First Amendment to District Financing Agreement

MOTIONS:

None required.

MINUTES:

First Reading - Referred - COUNCILMEMBERS WOLFSON and TARKANIAN

7/5/2005 Recommending Committee

7/6/2005 Council Agenda

There was no discussion.

(1:29 - 1:30)

4-91

THE MORNING SESSION RECESSED AT 2:00 P.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

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

MOTIONS:

REESE - Motion to HOLD IN ABEYANCE Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] to 7/20/2005 - UNANIMOUS

MINUTES:

COUNCILMAN REESE indicated the developer asked to hold the items in abeyance to allow more time to meet with the residents of the neighborhood.

(2:37 - 2:38)

5-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ

CONSENT **DISCUSSION**

SUBJECT:

Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at Southeast Corner of Charleston Boulevard & Merialdo Lane (APN: 163-05-517-004).
PROPERTY OWNER: THREE Bs, INC. - Ward 1 (Tarkanian)

Fiscal Impact:

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Zoning Violations/Nuisance Notice and Order to Comply was mailed to the property owners to correct the nuisance per Las Vegas Municipal Code, Title 19 Zoning - Failure to comply with Z-0102-86(6) - Site Development Plan Review, Item #13. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Robert N. Peccole, President, Three BS, Inc., property owner and responsible party for the property.

RECOMMENDATION:

That the City Council approve the Zoning Violations/Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Zoning Violations/Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal
6. Submitted at City Council - Exhibits 1 through 4 submitted by Bob Peccole
7. Verbatim Transcript

MOTIONS:

TARKANIAN - Accepted applicant's offer to make the wall 6 feet - UNANIMOUS

MINUTES:

NOTE: Subsequent to the minutes a verbatim transcript was made a part of the final minutes.

NOTE: Pictures were shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

ORLANDO SANCHEZ, Director of Neighborhood Services, stated the property owner had been informed about a required six-foot wall between the commercial property and the residential. The owner has appealed the notice. MR. SANCHEZ presented pictures to verify non-conformance to the required elevation of the wall. COUNCILMAN WOLFSON clarified this item is a Ward 1 item.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

BOB PECCOLE, President and Attorney of Three Bs, Inc., submitted a document for the Council members to follow his argument. He outlined the notice and order received alleging the violation of nuisance. It addressed Las Vegas Municipal Code Title 9 Chapter 12, which deals with nuisances created by litter. Title 19, Zoning, addresses failure to comply with site development plan review Condition 13 for a minimum 6-foot decorative block wall with at least 20 percent contrasting materials. He objected that the notice and order sent is improper and violates Section 9.04.050 pertaining to the notice requirements established. The Notice of Violation Section 9.04.050 states in paragraph Sub-A Sub-3 that there must be a statement of violation in sufficient detail to allow an owner or responsible party to identify and correct the nuisance. The notice that MR. PECCOLE received did not identify what needs to be corrected as a nuisance. The notice of paragraph Sub-A Sub-4 requires abatement to be performed within a specific time period, not less than ten days, but the notice and order does not specify what the nuisance is. Paragraph Sub-A Sub-5 says to set any reinspection date appropriate and the order does not include such date. In the second paragraph, the order says an additional fee of \$45 per hour or one-hour minimum not to be prorated will be charged for each additional inspection after the initial reinspection.

MAYOR GOODMAN acknowledged MR. PECCOLE'S argument, and verified with MR. SANCHEZ that the violation is the failure to construct a 6-foot wall per conditions of approval. DEPUTY CITY ATTORNEY TOM GREEN clarified that Title 9.04.010 defines any zoning violation as a nuisance. The City is not required to specify the Code provisions that are being violated, but only the facts, which Neighborhood Services has set forth accordingly.

MAYOR GOODMAN explained that MR. PECCOLE is at fault because of non-conformance to the condition imposed by the City Council. MR. SANCHEZ concurred and noted that condition to be Condition 13. The Planning Department allowed him to use the existing wall with the intent to have the wall six feet tall with 20 percent contrasting material. When the development began, the height of the wall was altered from the landscaping requirements, and the abutting residential homeowners with pools became in violation for not having a minimum 5-foot or 6-foot wall.

MR. PECCOLE referenced the history of how the wall came to be in violation. The Council originally approved that Condition 15, which addresses the violation today, be replaced with a condition stating the owner is to buffer and maintain the wall on the south side of the property with landscaping. Another developer originally built the wall and Municipal Code states the owner must maintain the wall. MR. PECCOLE confirmed compliance to that condition and stated that a landscaping plan was submitted and approved by the City. Every inspection that took place thereafter passed and there were no disputes. He referenced pictures to support his dispute that the specified area in violation is a landscaping area, not a public access area. He depicted a concrete pad belonging to the water company that is nearly two feet from the wall. He reiterated that the landscaping he performed per City requirements is currently affecting the wall height.

MR. SANCHEZ referenced Title 19.08.045.G1, which states that a solid wall is a minimum of six feet in height measured from the finished grade of the property enclosed by the fence or wall should be constructed on the property lines between any commercial development that abuts residential development. MAYOR GOODMAN expressed concern for the discrepancy in the documents presented by MR. PECCOLE. Initially a six-foot high decorative wall was imposed then he was required to

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

merely buffer and maintain the wall with landscaping, and then again the construction of a six-foot high wall was imposed.

DEPUTY CITY ATTORNEY GREEN clarified that the last revision made to the site included the condition to construct the wall accordingly. MR. PECCOLE insisted it was never required of him to build another wall because the existing wall was six feet tall. COUNCILMAN REESE requested clarification from MR. SANCHEZ about the height of the wall to be six feet tall on MR. PECCOLE'S side or the abutting resident's side. MR. SANCHEZ confirmed the wall should be six feet tall on MR. PECCOLE'S side. He further explained because the development took place requiring the concrete pad and landscaping, the elevation of the land increased thereby decreasing the height of the wall. He suggested rather than adjusting the height of the wall two to three feet for that small section, MR. PECCOLE could make adjustments to the landscaping overall decreasing the land elevation.

COUNCILMAN BROWN commented on his experience with land elevation differences in Ward 4 and noted that the City does not allow a developer to build up from the existing wall. MR. PECCOLE pointed out that the City imposed all of the changes for the development and has been involved in every phase of the development. He agreed to remove landscaping at that section where the wall is non-conforming so the wall will comply with the condition set forth by Council. He also proposed a stipulation that should he adjust the land elevation to meet Code, the Council will not require him to repair any of the holes in the wall. Because the City is partially at fault for any misunderstanding of the conditions, COUNCILMAN MACK suggested that perhaps Code Enforcement could fill the holes of the wall.

COUNCILMAN WOLFSON confirmed the abutting property owner is HARRY GENZLER who is a local attorney. He then questioned how far back from the wall the trench will be dug to assure the wall stands six feet tall. DEPUTY CITY ATTORNEY BRYAN SCOTT declared the trench from the wall must be at least two feet wide making the wall six feet high on his side.

NOTE: COUNCILWOMAN TARKANIAN stated that unless strong evidence indicates otherwise, MR. PECCOLE should not have to fill the holes. She directed MR. SANCHEZ to research all previous records concerning maintenance of the wall. MR. PECCOLE agreed and confirmed the adjustments would be made immediately.

MAYOR GOODMAN declared the Public Hearing closed.

(2:38 - 3:12)

5-47

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-6678 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LLC - Request for an Extension of Time for an approved Special Use Permit (SUP-1875) WHICH ALLOWED A TAVERN at 1208 East Charleston Boulevard (APN 162-02-110-014), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter
- 5. City Council approval letter for SUP-1875

MOTIONS:

REESE - APPROVED subject to conditions Item 105 [EOT-6678], Item 106 [EOT-6679] and Item 107 [EOT-6677] -- UNANIMOUS

MINUTES:

MAYOR GOODMAN acknowledged and congratulated ATTORNEY JENNIFER LAZOVICH who was voted by the Legislature as the Freshman Lobbyist of the Year. COUNCILMAN REESE thanked ATTORNEY LAZOVICH for representing the items in a very professional manner.

(3:12 - 3:13)
5-1189

CONDITIONS:

Planning and Development

- 1. This Extension of Time shall expire on 05/07/07 unless another Extension of Time is approved by the City Council.

- 2. Conformance to the Conditions of Approval for Variance VAR-1879, Special Use Permit SUP-1875, Site Development Plan Review SDR-1877 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-6678 - VARIANCE

EOT-6679 - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LLC - Request for an Extension of Time for an approved Variance (VAR-1879) WHICH ALLOWED 172 PARKING SPACES WHERE 187 PARKING SPACES ARE REQUIRED at 1208 East Charleston Boulevard (APN 162-02-110-014), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter
- 5. City Council approval letter for VAR-1879

MOTIONS:

REESE - APPROVED subject to conditions Item 105 [EOT-6678], Item 106 [EOT-6679] and Item 107 [EOT-6677] -- UNANIMOUS

MINUTES:

NOTE: See Item 105 [EOT-6678] for all related discussion.
(3:12 - 3:13)
5-1189

CONDITIONS:

Planning and Development

- 1. This Extension of Time shall expire on 05/07/07 unless another Extension of Time is approved by the City Council.

- 2. Conformance to the Conditions of Approval for Variance VAR-1879, Special Use Permit SUP-1875, Site Development Plan Review SDR-1877 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT **DISCUSSION**

SUBJECT:

EXTENSION OF TIME RELATED TO EOT-6678 AND EOT-6679

EOT-6677 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: OLD TOWN, INC. - OWNER: ECT HOLDING, LLC - Request for an Extension of Time for an approved Site Development Plan Review (SDR-1877) WHICH ALLOWED AN ENTERTAINMENT VENUE INCLUDING A RESTAURANT AND TAVERN on 2.61 acres at 1208 East Charleston Boulevard (APN 162-02-110-014), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter
- 5. City Council approval letter for SDR-1877

MOTIONS:

REESE - APPROVED subject to conditions Item 105 [EOT-6678], Item 106 [EOT-6679] and Item 107 [EOT-6677] -- UNANIMOUS

MINUTES:

NOTE: See Item 105 [EOT-6678] for all related discussion.
(3:12 - 3:13)
5-1189

CONDITIONS:

Planning and Development

- 1. This Extension of Time shall expire on 05/07/07 unless another Extension of Time is approved by the City Council.

- 2. Conformance to the Conditions of Approval for Variance VAR-1879, Special Use Permit SUP-1875, Site Development Plan Review SDR-1877 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REVIEW OF CONDITION

ROC-6575 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAS VEGAS DEVELOPMENT COMPANY - OWNER: CARDAN LINDELL NORTH, LLC - Request for a Review of Condition Number 21 of an approved Site Development Plan Review (SDR-4551) TO ELIMINATE THE CONDITION WHICH PROHIBITS PARKING AND DISPLAY OF VEHICLES IN THE BUFFER AREA for an approved 37,950 square-foot motor vehicle sales (new) facility on 4.15 acres adjacent to the northwest corner of Sahara Boulevard and Lindell Parkway (APN 163-01-404-022), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking), P-R (Professional Office and Parking) Zone under Resolution of Intent to C-2 (General Commercial) and C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for SDR-4551

MOTIONS:

TARKANIAN - ABEYANCE to 7/20/2005 - Motion carried with MACK voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CARL MARCELLO, Las Vegas Development Company, 4795 South Durango Road, and owner, DANIEL TOWBIN, Chairman of Towbin Enterprises, 5605 West Sahara Avenue, appeared to address the previous action of Council in August 2004. When the item appeared before Council in 2004, ATTORNEY BILL CURRAN, MR. TOWBIN, and MR. MARCELLO met with the members of the Council to review all requests. Among the request was a site plan depicting the location and use of the test track, and it was noted that vehicles would be parked on the test track when not in use. They received support of the site plan and test track use from the entire Council in particular, COUNCILWOMAN MONCRIEF and neighborhood residents.

Prior to the August 4, 2004 City Council Meeting the architectural firm, in error, did not submit the most current landscape plan. During the presentation of that Council meeting, positive comments were made about the test track. Unfortunately, the wrong site plan remained with the City, which now

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

prohibits parked vehicles on the test track area. MR. TOWBIN acknowledged his belief that the site plan he has been abiding by was what was discussed at the prior Council meeting. The test track is required and stands as an integral part of the franchise. He respectfully requested an exception to the Code that prohibits parked vehicles in the landscaping as several other car dealerships are allowed to do the same.

COUNCILMAN MACK commented on his recollection of the item and acknowledged understanding of their request. He confirmed that nearby residents were unhappy with the original plan to have a test track in the back of the property and noted the ultimate decision to have the test track in the front is more attractive. He referenced his concern for the track's adjacency to pedestrian access and to the street and requested the rocks and boulders to be built up for protection. Many of the competing dealerships rely on the prominence of such a display and he supported the request.

COUNCILWOMAN TARKANIAN noted she was not the representative of Ward 1 when this item was first approved in August of 2004. In her research she was unable to discover any waivers to the Variance that would allow vehicles in the buffer zone. MARGO WHEELER, Director of Planning and Development, confirmed the approval letter of October 25, 2004 references the site plan dated 7/1/2004 and reflects there to be no cars in the landscaping. The specific condition in question is Condition 21 stating there is to be no parking or display of vehicles within the buffer areas. That letter was sent out following the August 4, 2004 City Council meeting.

MR. TOWBIN acknowledged that he did receive the letter of approval but understood Condition 21 referred to all other landscaping areas and not the track. At the previous hearing, the location of the test track was discussed thoroughly and pictures were shown reflecting their desire to park vehicles on the test track when not in use. There were no negative comments on their intentions to use the track in such a way and the test track has turned out to reflect a tremendous attractive feature.

COUNCILWOMAN TARKANIAN recognized the value of the test track to MR. TOWBIN but indicated she has encountered negative comments about the test track from Ward 1 constituents. She offered to hold the item to the July 20, 2005 City Council meeting to review the evidence he presented and further investigate the previous discussions and actions. She conveyed strong concern for the length of time that has lapsed without seeking the correct approval.

MR. MARCELLO explained it was unknown that they were in violation until recently and upon immediate knowledge, they submitted the appropriate request to relieve them of non-conformance. He urged COUNCILWOMAN TARKANIAN to consider the discussion that previously appeared before Council. COUNCILMAN MACK clarified that in 2004 when the motion was finally made, COUNCILWOMAN MONCRIEF failed to include language in her motion that reflected discussions about the test track use. MR. TOWBIN recollected that formal legal representation was hired but not present when the item was heard because of his conflict to appear before the County. Consequently, MR. TOWBIN and MR. MARCELLO represented themselves and were unsuccessful in obtaining necessary and specific requests as part of the motion.

MAYOR GOODMAN simplified that the request now is to allow parked vehicles on the test track for display. MR. TOWBIN clarified the track is considered a designated area for testing the vehicles.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

Concerning the safety factors involved with a test track, he referred to COUNCILMAN MACK'S comments of requesting bollards for extra protection at the original hearing. DEPUTY CITY ATTORNEY BRYAN SCOTT noted the precedent this would set for the other dealerships along the east and west of this particular dealership. The Council has been outspoken about not having vehicles in the landscaping along the other sections of Sahara Avenue. COUNCILMAN BROWN requested specifications on the amount of area that is landscape only. MS. WHEELER confirmed the landscape area is 15 feet, which is what was approved as a 15-foot buffer, and with the test track behind the landscape. MR. MARCELLO indicated the landscape area exceeds the minimum requirement at 35 feet wide and the set back of the cars is the same as the remainder of the property.

MS. WHEELER stated the plans submitted as part of the current package are dated 4/22/2005, are not the same as what is currently displayed. Three concrete pads are shown and another drawing depicting vehicles moving through the landscaping. What is being compared now is the plan from 7/1/2004 imposing the landscape buffer with a test track behind that and then the parking lot. The proposal submitted shows three concrete pads within the landscaping area in the corner of the property and is not a driving through configuration.

COUNCILMAN MACK questioned if they could build the minimum required 15-foot buffer and add 20 feet of additional landscape on their sales area for the test track. MS. WHEELER stated that is exactly what was approved 7/1/2004. COUNCILWOMAN TARKANIAN insisted on holding the item in abeyance to the 7/20/2005 City Council meeting.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:15 - 3:35)

5-1237

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REVIEW OF CONDITION

ROC-6691 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: RINKAI AMERICA INC. - Request for a Review of Conditions for an approved Site Development Plan Review (SDR-5027) TO REMOVE CONDITION NUMBERS 18, 27 AND 30 for an approved 73-STORY, 863-FOOT TALL, 1,300,000 SQUARE FOOT MIXED USE DEVELOPMENT CONSISTING OF 951 CONDOMINIUM UNITS AND 41,000 SQUARE FEET OF COMMERCIAL USES on 2.17 acres at 2417 and 2423 South Las Vegas Boulevard (APNs 162-03-410-008 and 162-04-813-070 and 071), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for SDR-5027

MOTIONS:

REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GREG BORGEL, 300 South Fourth Street, appeared on behalf of the developer and stated there needs to be only technical corrections to the plan. Groundbreaking will take place in 16 months but the units have not been priced. MAYOR GOODMAN questioned if sales are projected to be for full time residents or for those only wishing to occupy the units part-time. MR. BORGEL confirmed that the majority of the residents will own the unit as a second home. MAYOR GOODMAN expressed concern for Las Vegas becoming a haven for people wanting a second home. Although it will benefit the City of Las Vegas in regard to tax dollars, the vision of the Council to attract people downtown as part of an urban community is not being fulfilled. He would like developers to gear projects for average living and not only high-end luxury. MR. BORGEL explained that this project relates to the resort corridor use. The same developers are constructing Liberty Tower, with hopes to break ground August 1, 2005, are planned to be residential in the downtown area.

RICK TRUESDELL, 9412 Tournament Canyon Drive, is involved with the property adjacent to this

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

project and concurred that the developers have done a wonderful job. The context of the conditions being waived pertain to joint access agreement and in conversation they talk about certain construction commitments for a safe adjacent property site. He supports all requests and mentioned the previous letters sent relating to safe site security and non-disturbance of adjacent businesses reinforces his support.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:35 - 3:42)

5-2093

CONDITIONS:

Planning and Development

1. Conformance to all applicable Conditions of Approval for Special Use Permit SUP-5028 and Site Development Plan Review SDR-5027 and all other site related actions.

Public Works

2. Condition Number 18 of Site Development Plan Review SDR-5027 shall be deleted.

3. Condition Number 27 of Site Development Plan Review SDR-5027 shall be revised to read as follows: "Cincinnati Avenue shall be terminated with a design other than a cul-de-sac that is acceptable to the City Engineer."

4. Condition Number 30 of Site Development Plan Review SDR-5027 shall remain as approved.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-6208 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: ALAN GETTINGER - Request for a Site Development Plan Review FOR A 1,500 SQUARE-FOOT OFFICE DEVELOPMENT on 0.22 acres adjacent to the southeast corner of Eastern Avenue and Houston Drive (APN 162-01-210-009 and 162-01-110-025), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

REESE - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MIKE LIVINGSTON, 1315 Town Center Drive, mentioned his meeting with COUNCILMAN REESE and agreed with all conditions. COUNCILMAN REESE thanked the applicant and welcomed the addition to Ward 3.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:42 - 3:44)

5-2397

CONDITIONS:

Planning and Development

1. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24-inch box trees 20 feet on center along Eastern Avenue, 30 feet on center along the west perimeter, and two additional trees for the parking area for a total of 28 trees.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All development shall be in conformance with the site plan and building elevations, dated 03/01/05, except as amended by changes by these conditions.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
13. All City Code requirements and design standards must be satisfied.

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Eastern Avenue and Houston Drive and an additional 5 feet of right of way for a total radius of 25 feet on the northeast corner of Eastern Avenue and Franklin Avenue prior to the issuance of any permits.
15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

16. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Provide a copy of a recorded Joint Access Agreement between both parcels comprising this overall site prior to the issuance of any permits.
18. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
20. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-6409 - PUBLIC HEARING - APPLICANT: JRJ INVESTMENTS, INC. C/O AUTONATION - OWNER: JRJ INVESTMENTS, INC. - Request for a Site Development Plan Review FOR A 26,763 SQUARE FOOT EXPANSION OF AN EXISTING AUTOMOBILE DEALERSHIP AND WAIVERS OF THE FOUNDATION AND PARKING LOT LANDSCAPING REQUIREMENTS on 7.81 acres at 6900 West Sahara Avenue (APN 163-03-806-006 and -009), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

TARKANIAN - APPROVED subject to conditions and the following amended conditions as read for the record as follows:

- 5. There shall be no paging or music on amplification systems into any parking area.**
- UNANIMOUS with WOLFSON abstaining because he leased a vehicle with Desert BMW**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PATRICK CASTELLANO, Welles Pugsley Architect, stated the item pertains to an existing dealership known as Courtesy. Auto Nation is now relocating their BMW dealership into this area and the service shop is in need of expansion. COUNCILWOMAN TARKANIAN thanked the applicant for a great effort to reach compromise with the neighbors. She suggested no paging or music on amplification system in the parking area, not just the rear parking area. MARGO WHEELER, Director of Planning and Development, clarified Condition 5 would reflect no paging or music on amplification systems into any parking area. MR. CASTELLANO understood that condition already applied to the entire facility per city ordinance and agreed with the amendment.

COUNCILMAN REESE expressed concern for his purchase with Honda and their affiliation with a previous item. DEPUTY CITY ATTORNEY BRYAN SCOTT explained that because COUNCILMAN WOLFSON currently has a contractual relationship with BMW, he must abstain, but because COUNCILMAN REESE has completed his purchase, he is not required to abstain.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:44 - 3:48)

5-2502

CONDITIONS:

Planning and Development

1. Waivers of the foundation and parking lot landscaping shall be granted.
2. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z 39 94 and all other subsequent site-related actions.
3. All development shall be in conformance with the revised site plan date stamped 04/21/05, building elevations date stamped 03/29/05 and the landscape plan, date stamped 04/25/05 except as amended by conditions herein.
4. There shall be no customer or employee parking along Via Olivero.
5. There shall be no paging or music on amplification systems into the rear parking area.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the removal of the three concrete display areas located in the southeast corner of the site and an additional seven trees to be planted along Sahara Avenue and Rainbow Boulevard at 20 feet on center.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit, to exceed the minimum required number of trees along the north property line.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
17. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

18. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
20. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-6519 - PUBLIC HEARING - APPLICANT: LAS VEGAS URBAN CHAMBER OF COMMERCE - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED THREE BUILDING, 27,672 SQUARE-FOOT CORPORATE OFFICE AND BANK CENTER AND FOR WAIVERS OF BUILDING PLACEMENT STANDARDS, PARKING AREA LANDSCAPE STANDARDS, FOUNDATION LANDSCAPE STANDARDS, AND STREET LANDSCAPE STANDARDS on 3.41 acres adjacent to the southwest corner of Martin L King Boulevard and Mount Mariah Drive (APNs 139-21-313-007 and a portion of 139-21-313-008), C-PB (Planned Business Park) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter and City letter attachment

MOTIONS:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

WINSTON HENDERSON, Urban Chamber Architect, appeared on behalf of the applicant and requested approval. He stated that they are hoping to obtain title within two weeks allowing groundbreaking to take place early August.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:48 - 3:50)

5-2689

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

2. Except as restricted by other conditions of approval herein, Waivers shall be granted in the following Title 19 provisions:
 - In the placement of buildings along Martin L. King Boulevard and Mount Mariah Drive.
 - In the parking area landscape standards.
 - In the spacing of trees along Martin L. King Boulevard and Mount Mariah Drive.
 - In the foundation landscaping between sidewalks and the buildings.

3. All development shall be in conformance with the site plan and building elevations date stamped 04/13/05, except as amended by conditions herein.

4. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect the following changes in the site plan:
 - Handicapped parking spaces shall be provided with access isles on both sides of each space.
 - A minimum of two loading spaces shall be shown and designated on the site plan.

5. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a building permit, to reflect the following:
 - A minimum of four five gallon shrubs for each tree shall be provided within designated planters.
 - Trees shall be provided at the ends of all parking rows, except where handicapped access routes would preempt their installation.
 - Trees shall be provided within all planters that are located between parking spaces.
 - Trees placed no less than 30 feet on center shall be provided in front of all parking spaces, including those spaces along Mount Mariah Drive and Martin L. King Boulevard.
 - The planter width along Mount Mariah Drive shall be expanded to a width of 15 feet.

6. Floor plans shall be submitted and reviewed and approved by the staff of the Planning and Development Department, prior to the time application is made for a building permit, for buildings #2 and #3.

7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)

8. Property line walls, if any, shall be shown on the site plan and be decorative block walls, with at least 20 percent contrasting materials. They shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize "shoe-box"

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

fixtures and downward-directed lights. Wall pack lighting shall utilize "shoe-box" fixtures and downward-directed lights on the proposed building.

11. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
13. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City code requirements and design standards of all City departments shall be satisfied.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0136-94, the Las Vegas Enterprise Park (commercial subdivision), and all other subsequent site-related actions.

Public Works

16. Coordinate with the City Surveyor to discuss the tax district boundary that crosses this site.
17. Coordinate with the City Engineer's Office to determine the impacts to this site from the Martin L. King Capital Improvement Project, if any.
18. Construct all incomplete half-street improvements on Martin L. King Boulevard and Mount Mariah Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. The driveway to Martin L. King Boulevard shall be a minimum of 32-feet wide and shall be designed, located and constructed in accordance with Standard Drawing #222A.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

MASTER SIGN PLAN

MSP-6344 - PUBLIC HEARING - APPLICANT: CASINO LIGHTING AND SIGN - OWNER: WMC PHASE I, LLC - Request for a Master Sign Plan FOR A PROPOSED BUSINESS PARK at 495 South Grand Central Parkway (APN 139-33-610-005 and 006), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present. COUNCILMAN WEEKLY motioned for approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:50 - 3:51)

5-2795

CONDITIONS:

Planning and Development

1. Conformance to the sign illustrations and documentation as submitted in conjunction with this request, dated 03/17/05, except as modified by conditions herein.

2. Any modifications to this Master Sign Plan as submitted, that are in compliance with the requirements of Title 19.14 and the Parkway Center Development Standards, may be reviewed and approved administratively by the Planning and Development Department for Phase I. Signage for any future buildings on the subject site shall require an amendment to the Master Sign Plan, to be reviewed and approved by the Parkway Center Architecture Review Committee (PC-ARC) and the Planning Commission.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All freestanding signage shall be have a minimum five-foot setback from the property line, in accordance with the requirements of Title 19.14.060(F)(5).
4. All signage shall have proper permits obtained through the Building and Safety Department.

Public Works

5. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
6. Site development to comply with all applicable conditions of approval Zoning Reclassification Z-100-97 and all other applicable site related actions.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

STREET NAME CHANGE

SNC-6338 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARY JANE JARVIS - OWNER: A & A, INC. - Request for a Street Name Change FROM: LEWIS AVENUE TO: CHEF ANDRE ROCHAT PLACE, between Sixth Street and Seventh Street, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter

MOTIONS:

TARKANIAN - APPROVED subject to condition - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MAYOR GOODMAN explained that MR. ROCHAT owns a restaurant downtown and has been a wonderful citizen in Las Vegas for 25 years. In recognition of his good deeds in the community the street in front of his restaurant is being changed to his name.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:51 - 3:52)

5-2842

CONDITIONS:

Planning and Development

- 1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REQUIRED SIX-MONTH REVIEW - SPECIAL USE PERMIT

RQR-6262 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MARIA ZUBIA PENA - OWNER: KOUTNOUYAN LIVING TRUST - Request for a Required Six-Month Review of an approved Special Use Permit (SUP-3128) WHICH ALLOWED AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND AUTO REPAIR GARAGE, MINOR on 3.9 acres located at 4401 Stewart Avenue (APN 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SUP-3128

MOTIONS:

REESE - TABLED - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NORA ARMENIAN, 1000 Stephanie Place, Henderson, was present. COUNCILMAN REESE explained that the applicant has plans to remodel the entire shopping plaza; therefore, he recommended tabling the item to allow the applicant to bring back an entire project proposal. He anticipates the applicant will return with a wonderful final project.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:52 - 3:53)

5-2889

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-6169 - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISING OF NEVADA - OWNER: HIGHLAND INDUSTRIAL PARK PARTNERSHIP - Required Two Year Review of an approved Special Use Permit (SUP-1876) FOR A 45-FOOT TALL, 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2901 South Highland Drive (APN 162-09-210-002), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for SUP-1876

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN abstaining because he is in partnership with ATTORNEY JAY BROWN on the property at West Charleston known as the VA Building, and MACK abstaining because his company, Mack Consulting, has clients in the area for which he negotiates off premise signs and because he has also negotiated with these two signs in the past on behalf of his clients

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and announced his abstention.

ATTORNEY JAY BROWN, 520 South Fourth Street, stated the item pertains to a two-year review and he requested approval.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:53 - 3:55)

5-2978

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT

RQR-6171 - PUBLIC HEARING - APPLICANT: HIGHLAND INDUSTRIAL PARK PARTNERSHIP - OWNER: REAGAN NATIONAL ADVERTISING OF NEVADA - Required Two Review of an approved Special Use Permit (SUP-1945) FOR A 45-FOOT TALL, 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2901 Highland Drive (APN: 162-08-611-011), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for SUP-1945

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN abstaining because he is in partnership with ATTORNEY JAY BROWN on the property at West Charleston known as the VA Building, and MACK abstaining because his company, Mack Consulting, has clients in the area for which he negotiates off premise signs and because he has also negotiated with these two signs in the past on behalf of his clients

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY JAY BROWN, 520 South Fourth Street, stated the item pertains to a two-year review and he requested approval.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:55 - 3:57)

5-3070

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6323 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 5,200 SQUARE FOOT TAVERN adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Protest letters by Wayne and Mei Hui Campbell and Beverly Hughes

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 118 [SUP-6323], Item 119 [SUP-6326], Item 120 [SUP-6330], and Item 121 [SDR-6317].

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated the property is located within the Town Center Master Plan. The "L" shaped property fronts Durango Drive. To the south of the project is Deer Springs Way, which supports intense use for the area. The concept of Town Center was to create another city within Las Vegas and this area is designed to help service the northwest. The most intense area is located within the core known as Urban Center Mixed Use and the idea encourages multi-story developments having commercial on the bottom, retail and office on other floors, and above would consist of residential housing. He referenced other developments in the area that support high intense uses because some residents in the area are in opposition and want suburban-type living. Town Center was designed to have higher density. The people in the area were made aware of the office buildings and garage buildings already approved with substantial heights. He described an analysis of sight elevations that were conducted with respect to the residential homes on the west, and many of the projects already approved hinder the residents' view without this project.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

COUNCILMAN MACK acknowledged the applicants effort to offer a fair representation of the item and the area. He acknowledged that the concerns of the residents in opposition may have existed only because they were not properly informed by their home builder about the proposed area. As his last Council meeting, he paid tribute to the project for promoting affordability and wished the applicant luck. ATTORNEY GRONAUER expressed admiration to have worked with COUNCILMAN MACK and thanked him for wondrous achievements, as he is a constituent of Ward 6.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 118 [SUP-6323], Item 119 [SUP-6326], Item 120 [SUP-6330], and Item 121 [SDR-6317].

(3:58 - 4:08)

5-3125

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6326 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-6323

SUP-6326 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 7,256 SQUARE FOOT SUPPER CLUB adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="9"/>
City Council Meeting	<input type="text" value="0"/>

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 118 [SUP-6323] for all related discussion.

(3:58 - 4:08)

5-3125

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-6323 AND SUP-6326

SUP-6330 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT IN EXCESS OF 12 STORIES adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="9"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 118 [SUP-6323] for all related discussion.

(3:58 - 4:08)

5-3125

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards.
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP 6323 and SUP-6326) and a Site Development Plan Review (SDR 6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6323, SUP-6326 AND SUP-6330

SDR-6317 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT CONSISTING OF TWO 24 STORY TOWERS CONTAINING 474 RESIDENTIAL UNITS AND 144,200 SQUARE FEET OF COMMERCIAL SPACE, OF WHICH 102,744 SQUARE FEET IS OFFICE SPACE on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive (APNs 125-20-201-016 and 025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 118 [SUP-6323] for all related discussion.

(3:58 - 4:08)

5-3125

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323, SUP-6326 and SUP-6326).
2. Waivers shall be granted in the Town Center Development Standards listed as follows:
 - a. In the Residential Adjacency Standards to permit buildings to be constructed to a height of 322 feet without compliance with the setback requirement.
 - b. In the provision of parking area trees.
 - c. In the step backs of buildings.
 - d. In build-to-line standards.
 - e. In building entryways provided every 50 feet.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. The development shall be in full compliance with all other Town Center Development Standards.
4. The submittal and approval of a development agreement per Title 19.18.090 shall be approved prior to issuance of building permits.
5. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee prior to the issuance of a building permit for any building on the site.
6. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to ascertain compliance with the conditions of approval in this report and to the Town Center Development Standards. In particular, buildings shall be or have the appearance of heights no less than two stories and loading spaces shall be shown.
7. The applicant shall work with staff to improve the architectural features of the façade of the project.
8. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
9. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. The landscape plan shall be revised, fully dimensioned, and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:
 - a. Compliance with the Town Center Development Standards for the amenity zones along Durango Drive and Deer Springs Way.
 - b. Open space equal to 20 percent of the total area.
11. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
12. All mechanical equipment, air conditioners and trash containers shall be fully screened in views from the abutting streets.
13. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

17. All City code requirements and design standards of all City departments shall be satisfied.

18. No turf shall be placed in common areas such as medians and amenity zones in this development.

Public Works

19. Dedicate 30 feet of right-of-way adjacent to this site for the portion of Hitt Family Court (AKA Haley Avenue) not previously dedicated, 40 feet of right-of-way adjacent to this site for Deer Springs Way, a 54 foot radius at the northwest corner of Durango Drive (AKA El Capitan Way) and Deer Springs Way, and a 25 foot radius on the southwest corner of Durango Drive (AKA El Capitan Way) and Hitt Family court (AKA Haley Avenue) prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and dedicate all additional rights-of-way required by Standard Drawings #234.1 #234.2 and #234.3 prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first, unless specifically annotated as not required within the approved Traffic Impact Analysis.

20. Construct half-street improvements including appropriate overpaving, if legally able, on Deer Springs Way and Hitt Center Court (AKA Haley Avenue) adjacent to this site that meet Town Center Standards concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

21. Construct any incomplete half-street improvements on Durango Drive (AKA El Capitan Way) adjacent to this site concurrent with development of this site.

22. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

23. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

24. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

25. A private owner's association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

26. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

27. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

28. Landscape and maintain all unimproved rights of way, if any, adjacent to this site.

29. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to issuance of any permits or approval of construction drawings for this site.

30. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

31. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

32. Coordinate with the City Surveyor prior to the submittal of a Map for this site to determine mapping options; comply with the recommendations of the City Surveyor.

33. Site development to comply with all applicable conditions of approval for ZON-1620 and all other applicable site-related actions.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6160 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION SPECIFIED AND A WAIVER OF THE 200 FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Justification letter
6. Submitted after final agenda - Protest letters and protest petition with 52 signatures
7. Submitted at City Council - Information about Check City submitted by Jim Marchesi

MOTIONS:

MACK - APPROVED subject to conditions and the following added conditions as read for the record as follows:

- All work on the entire wall along the northern property line required to construct a required eight-foot height wall shall be completed prior to granting of business license for the use of this location.
- The applicant will only have the shape of the logo on the sides of the building and not have additional language on the sides of the building and have a monument of that version of the sign on the front.
- The applicant is responsible for mitigating the gap between the existing wall and the wall to be erected eight feet tall.
- Motion carried with TARKANIAN voting NO and GOODMAN abstaining because of his partnership with ATTORNEY JAY BROWN on the VA Building located at West Charleston

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared with JIM MARCHESI, 6820 West Charleston, and LUCY STEWART, 856 East Sahara Avenue. He referenced the May 18, 2005 City

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

Council Meeting and that it was held in abeyance to further negotiate compromise with opposing residents. There were two neighborhood meetings held but not all residents were satisfied.

One major concern is the block wall between the residents' properties and the shopping plaza. The neighbors were promised that the wall would reach eight feet to block their view of the cars and bright lights in the evening. The applicant has agreed to increase the height to satisfy the neighbors before the business license is issued. The hours are a concern and the applicant has agreed to close at the same time as the nearby Walgreen's.

MS. STEWART confirmed there will be no drive thru window or speakers. In addition, with all business activity taking place inside the building, less traffic will be generated than a retail business.

DONNA SAMATULSKI, 8580 Blowing Pines Drive, spoke on behalf of the residents in opposition. She stated the owner of the property of the proposed shopping plaza had previously arranged with the homeowners to erect an eight-foot wall and landscaping regardless if Check City occupied the plaza or not. There should be a 200-foot distance separation between the financial institution and the residents, which currently lacks 142 feet. MS. SAMATULSKI mentioned that the neighborhood meeting was held at Check City, but should have been held in a common area so as not to pose intimidation upon the residents. Real Estate agents confirmed that a check-cashing and payday loan business are one among three types of businesses that could negatively influence property value by at least five percent. She referenced two other check-cashing facilities within a three-mile radius proving that sufficient financial institutions exist. Over 80 letters of opposition have been written to the Council and she submitted a petition that also referenced signatures for denial.

ABE ESPINOZA, 7820 Nature Song Street, stated that COUNCILMAN MACK has done wonderful things for the neighborhood, but is in opposition of Check City in the area and requested denial.

COUNCILMAN WOLFSON requested that MARGO WHEELER, Director of Planning and Development, explain the public policy behind the rule that requires a 200-foot separation. She stated the issue of separation of any type of use is a result of an over proliferation of that use, and any use that might create loitering or a clientele of concern to a neighborhood. COUNCILMAN WOLFSON requested MR. MARCHESI respond to the neighbors' concern for the type of people his business will attract.

As a constituent of Ward 6, MR. MARCHESI and his family are involved in the business, which is an example of an industry leader. He submitted a PowerPoint package that detailed Check City business facts, and outlined key points. He confirmed close working relations with REPRESENTATIVE BARBARA BUCKLEY for amending a segment of legislation that the Governor accepted. Over a year and a half was spent gathering six companies to comprise legislation that would provide consumer protection by making any stigma-related activities unlawful. He described the appearance of other Check City locations and explained that the neighborhood meeting held there was only to display what he plans to have at this location.

MAYOR PRO TEM REESE questioned if legislation restricts rates charged for services, and MR. MARCHESI confirmed the legislation only limits abusive business practices. If a consumer were to

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

default, Check Casing allows 90 days to repay without interest and no other lending business possesses that requirement.

RYAN ANDERSON, 9213 Steel Tree Street, stated that regardless of future efforts to remove any stigmas from his type of business, the stigma currently exists. As a detective of Metropolitan Police Department, he mentioned witnessing the type of individuals that frequent financial lending businesses. He opposes the 142-foot variances.

JOSEPH BORO, 8585 Blowing Pines, stated that the interior of Check City does not resemble a bank.

COUNCILWOMAN TARKANIAN inquired about the distance for the variance, and MS. WHEELER confirmed the requirement is similar to what the County imposes. COUNCILWOMAN TARKANIAN expressed concern for the amount of distance being waived. MAYOR PRO TEM REESE commented on the legislature protecting consumers as well as communities from such businesses with stigmas, and because good business practices will be enforced, he can support the request. Many constituents that he represents are in need of alternative financial facilities and he does not believe stereotypes should prevent the service from being available. COUNCILMAN BROWN noted the elevation difference for the unique shape of property involved and stated that if an 8-foot wall is part of the application, the safety issue will be mitigated. He believed the project to be appropriate and does not agree with the stigmas associated with the service; as this area is growing, many may choose to access this type of lending service.

COUNCILMAN MACK thanked the applicants for attempting to compromise through numerous neighborhood meetings. This pertains to a land use decision only and not the type of business or type of people attracted to the service. As a fifth generation pawnbroker, he reflected on his experiences with stigmas that society placed upon the industry. There were only certain zoning classification that allowed the service, and he described a timeline of events that have led to the more commonly used service. When SuperPawn was established, his family was urged to remain in particular areas because it was there that the service was needed and would be used. COUNCILMAN MACK is convinced that MR. MARCHESI has invested a significant amount of money to provide a legitimate business and ensure there are improvements that satisfy the neighbors. Without evidence of an appraisal, COUNCILMAN MACK was not persuaded that such financial institutions could lower the value of nearby residential properties and challenged any realtor to provide proof. The Council approved the Walgreen's at that location who then sub-parceled off the corner and the landowner has yet to provide the Council with any statement indicating that the wall would be increased to eight feet. Nonetheless, MR. MARCHESI has offered to erect the 8-foot wall and regardless of what type of business occupies the building, the wall is crucial for safety factors.

COUNCILMAN MACK asked MR. MARCHESI to limit his signage eliminating the additional verbiage that normally occupies their facilities and rely on the monument sign. MR. MARCHESI suggested to have the normal signage along the front of the building and along the side that would face the neighbors. He would limit the sign to only the logo and name. This would eliminate light spillage and he could additionally guarantee those signs be off when the store is closed. COUNCILMAN MACK announced his preference is to have the monument sign, but compromising with staff and the property owner to minimize the sign is acceptable. MR. MARCHESI agreed to all amended conditions.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:08 - 4:57)

6-143

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.
2. The Waiver request for the 200-foot separation requirement shall be granted.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.
5. The use shall comply with all applicable requirements of LVMC Title 6.
6. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
7. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
8. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 10:00 p.m.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-5984 - PUBLIC HEARING - APPLICANT/OWNER: FREMONT BRUCE, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="3"/>
City Council Meeting	<input type="text" value="3"/>

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

REESE - APPROVED subject to conditions and the following added condition as read for the record as follows:

- **The applicant is required to submit a written report in 60-day increments**
- **UNANIMOUS**

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 123 [SUP-5984] and Item 124 [SDR-5942].

DENNIS RUSK, Architect, 3960 East Patrick Lane, explained the major issue of the project to be the moving of the trailer park. He stated the people of the park are welcomed to remain as long as possible. There would be a six-month notice a year from now and if the project is phased, it would be up to two years before the six-month notice would apply. STEVE MAZULO has been retained to assist with compliance of all state laws and regulations ensuring the people are fairly treated.

COUNCILMAN REESE opined that he is not interested in moving forward until the residents of the park have been noticed and have begun moving out to a relocated place. MR. RUSK stated the residents are aware that the park will close. The choice is to either close the park tomorrow and have them relocated within six months from tomorrow, or have them move over within 2 years to clear the site. If the request is granted, construction will not begin for another 18 months and then at that point they would receive the six-month notice. Then, the state enters and evaluates the properties and movement begins of all that are able to be moved. If property is unable to be moved, they will receive more than fair market value and will be amongst the most protected tenants in the state.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

COUNCILMAN REESE stated he is unaware of a suitable location for the residents to afford to live anywhere else. MR. RUSK stated that of the 23 residents, 14 can be moved to a new location and they have located other parks that will accept the trailers.

RICHARD LEONARD, 137 North Nineteenth Street, expressed concern about the highly traveled intersection near this project. A new school was built at Eighteenth Street and Bruce Street and there are many children that already come from the nearby apartment complex. He suggested that if this project is approved, there be a larger walkway from that property to the school. The sidewalk is too narrow and many kids and parents walk in the street. From a safety issue, the area already needs this improvement. COUNCILMAN REESE acknowledged that existing safety issue and plans to implement the sidewalk improvement.

COUNCILMAN REESE verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that there are certain state law requirements that require sufficient notice to all of the current tenants prior to the time they are able to take any action and for changing the property's use. It is required to give at least six months notice to the tenants and they must be relocated. For those that cannot be relocated they are required to give fair market value less the cost of demolition for those units. The necessary process with the tenants is lengthy prior to the time the park can be closed and in preparation for the mixed use project. MR. RUSK emphasized that fair market consists of the value of the home including relocation costs and inconvenience fees, proving to be substantially more than just purchasing the property. COUNCILMAN REESE expressed concern for the tenants and MR. RUSK stated their intention is to keep the park open as long as possible to allow for the best opportunity to relocate the tenants. DEPUTY CITY ATTORNEY SCOTT advised COUNCILMAN REESE that certain criteria exists as is part of the Special Use Permit and Site Development Plan Review that he, as a Councilman, is assured that appropriate measures are taken to secure and protect the health, safety and general welfare of the tenants. If such criteria does not satisfy the Councilman, the item can be held in abeyance or tabled until that satisfaction is met.

MAYOR GOODMAN questioned if procedures exist that assure the Council that every reasonable methodology will be explored to relocate the residents with the least inconvenience to them. DEPUTY CITY ATTORNEY SCOTT informed the Council that provisions exist in the state law that mandates clear criteria for mobile home park owners who wish to utilize the property for another use. There is also a state advocate for mobile home park tenants that oversees the closure procedure to assure the Council and to assure the applicant follows all rules. The owner would have to provide notice whether another project was approved or if the owner wished to close the park on his own. The State can provide an appraiser for the tenants, which will give the fair market value of each of the homes to determine the cost associated with demolishing the units.

COUNCILMAN REESE wanted a guarantee that the applicant will not force the residents out immediately and MR. RUSK expressed understanding for the Councilman's concern of the long time constituents in his ward. MR. RUSK offered to provide a written statement indicating no such action would be imposed on the residents in an abrupt manner. COUNCILMAN REESE requested the item be tabled but MR. RUSK explained that it is in the residents' best interest to move forward with the project because it would allow them more time to adjust to the fact they will be relocated. If the item does not move forward until the residents receive notice, then the applicant will be forced to give immediate

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

notice in order to move forward with the project. He also shares interest in the residents' having the most comfortable move possible and will contribute in any way to assure that.

MAYOR GOODMAN suggested approving the project to allow the residents extra time to relocate and if the relocation efforts are not met in a successful manner, the Council can request the item return for a revote of denial for the project. COUNCILMAN BROWN further suggested the applicant provide COUNCILMAN REESE a status report every six months. DEPUTY CITY ATTORNEY SCOTT agreed with all suggestions and explained that once the property owner receives final approval from the City Council, it will trigger the owner to issue the six-month notice to the residents. He included the stipulation to have the item return for a review in three or six months to assure and implement honest intentions for the tenants' relocation. COUNCILWOMAN TARKANIAN recommended that the review be for a shorter period and if those stipulations are not met, the allowance be reversed. DEPUTY CITY ATTORNEY SCOTT advised not. MR. RUSK informed the Council that he could guarantee the project would not reach completion in less than a year. He would also be willing to supply COUNCILMAN REESE with a monthly report of the status of the project. MARGO WHEELER, Director of Planning and Development, stated the added condition should read that the applicant is required to submit a written report in 60-day increments. MR. RUSK agreed to the added condition and he stated that the sidewalk improvements will suffice the safety issue. MS. WHEELER confirmed the minimum required is being met and exceeded.

MAYOR GOODMAN informed MR. RUSK that the Council is scrutinizing the conversion of properties that have existing tenants. There are many apartments converting to condominiums and because so many high rise projects are entering the downtown area, the price of homes in the vicinity are increasing, making it difficult to find affordable housing. The Council needs to investigate options for relocating people in an economic period and enforce proper relocation in favor of the tenants' best interest. MR. RUSK indicated that he is working on a different project for the downtown area to support economical living and indicated that this very project could also be considered for the current residents' relocation. MAYOR GOODMAN was pleased to hear that affordability is a possibility and requested an economic discount for those needing relocation. MR. RUSK informed the Council that he would do his best to meet those requests.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 123 [SUP-5984] and Item 124 [SDR-5942].

(4:57 - 5:18)

6-1030

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for Mixed-Use development. The building at the northwest corner of the site shall be revised so that the ground-floor commercial space shall be directly accessible from the public sidewalks on Fremont Street and Bruce Street.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5942).

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5984

SDR-5942 - PUBLIC HEARING - APPLICANT/ OWNER: FREMONT BRUCE, LLC - Request for a Site Development Plan Review FOR A FOUR-STORY, 152 RESIDENTIAL UNIT, 21,000 SQUARE-FOOT MIXED-USE DEVELOPMENT on 2.76 acres adjacent to the southeast corner of Bruce Street and Fremont Street (APN 139-35-803-001), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="3"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (4-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

REESE - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

NOTE: See Item 123 [SUP-5984] for all related discussion.
(4:57 - 5:18)
6-1030

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-5984) to allow the Mixed-Use development in the C-2 (General Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, date stamped 04/08/05, and the revised building elevations and landscape plans, date stamped 04/25/05, except as amended by conditions herein.
4. The principal entrance to the residential building at the southeast corner of the site shall be redesigned to provide a public lobby at the exterior edge of the building, directly visible from either the Fremont or Bruce Street entrance to the property. An accessible route shall be provided from the public sidewalk to the principal entrance and lobby of the building.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

5. The elevations of the building at the northwest corner of the site shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to comply with the design standards of the Downtown Centennial Plan.
6. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas in accordance with Subsection DS4.2 of the Downtown Centennial Plan.
7. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
8. Surface parking lots shall have a minimum of one shade tree for every six uncovered parking spaces. A minimum of ten square feet of landscaped surface area shall be provided for each parking space, incorporated into landscape islands, a required perimeter landscape treatment, or both in accordance with Subsection DS3.1.h of the Downtown Centennial Plan.
9. Any surface parking lot facing a public street shall incorporate an eight-foot wide landscape buffer and 42" high parking lot screen fence in accordance with Subsection DS3.1.g. of the Downtown Centennial Plan. The screen fence shall conform with the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
10. A landscape plan must be submitted prior to or at the same time application is made for a building permit. Turf shall cover no more than 12.5% of the total landscape area.
11. The required landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. All mechanical equipment shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. Trash areas shall be walled and roofed in accordance with Code requirements. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Any property line wall or retaining wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

exposure above the finished grade, unless otherwise stipulated.

16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

17. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

18. Dedicate an additional 5 feet of right of way adjacent to this site for a total half street width of 50 feet on Fremont Street and a 25 foot radius at the southeast corner of Bruce Street and Fremont Street prior to the issuance of any permits. Also, grant a Traffic Signal Chord easement at the southeast corner of Fremont Street and Bruce Street. Additional right of way dedications per Standard Drawing #234 for a bus stop shall be dedicated unless specifically noted as not required by an approved Traffic Impact Analysis for this site.

19. Construct all incomplete half-street improvements on Fremont Street and Bruce Street adjacent to this site concurrent with development of this site.

20. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

21. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. All work within the Fremont Street right-of-way shall receive approval from the Nevada Department of Transportation.

22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site for bus turn outs, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

24. Landscape and maintain all unimproved rights-of-way on Fremont Street and Bruce Street adjacent to this site.

25. Submit an Encroachment Agreement for all landscaping and private improvements located in the City of Las Vegas public rights-of-way adjacent to this site prior to occupancy of this site.

26. Obtain an Occupancy Permit for all landscaping and private improvements in the Nevada Department of Transportation public right-of-way adjacent to this site.

27. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the approval of a Tentative Map or construction plans. Approval of this Site Development Review does not constitute approval of any deviations. If such approval cannot be obtained, a revised Site Plan must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6401 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: OSO BLANCA LLC - Request for a Special Use Permit FOR A PROPOSED TAVERN adjacent to the northwest corner of Iron Mountain Road and Oso Blanca Road (APN 125-06-002-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 125 [SUP-6401] and Item 126 [SDR-6402].

RICHARD GALLEGOS, Gerald Garapich Architects, appeared on behalf of the owner. MAYOR GOODMAN recognized MR. GARAPICH as a true hero for landing a plane in North Las Vegas when the pilot suffered a heart attack. MR. GALLEGOS informed the Mayor that MR. GARAPICH is still in recovery.

RICHARD MORENO, 300 South Fourth Street, appeared with PAUL LARSEN, STEWART APOLLO and JOE BONIFFATO and requested approval.

JOHN LELU, 3800 Howard Hughes Parkway, appeared on behalf of Focus Property Group. He referenced an aerial site map to emphasize recent development of Focus Property Group in the vicinity. As the neighbor, staff has spent nearly 18 months conducting meetings to implement policies for the master planned community. The City Council has developed a resolution of the policies. Focus is investing a tremendous amount in an effort to accomplish the goals of an organized compatible community. Once complete, Focus plans to spend a great deal on traditional and non-traditional infrastructure and feels this application is premature. If the Council will not obey the item, they requested a one-year review be imposed.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

TRINITY BARLOW represented several neighbors who were unaware of the project. The proposed project is near schools and although it is within the guidelines, the distance is not great enough. MS. BARLOW stated that a tavern is not what the community wants and if development is what is inevitable, she requested the Council consider something more compatible with the community. A tavern could introduce crime, danger for the children, drunk driving, litter and loss of value to the homes.

MAYOR GOODMAN confirmed with MARGO WHEELER, Director of Planning and Development, that the radius of the notification area was 3500 feet, which is three and a half times the required notification area.

RYAN ANDERSON, 9213 Steel Tree, stated a tavern will introduce a clientele that is not welcomed by the community and the two schools in the vicinity are a major concern. He suggested a sound wall to stand as a barrier between the freeway and the tavern, making it difficult for the people who frequent the taverns not to have easy access to the schools. MR. ANDERSON also asked hour restraints on the tavern, if approved, so that the tavern opens only after the schools are out of session.

At the request of the Mayor, DEPUTY CITY ATTORNEY BRYAN SCOTT explained the distance requirements for a tavern that is located near a school is 1500 feet.

KELLY HOLMSTEAD, 9309 Ironsend Street, also spoke in opposition to the tavern's location because of its proximity to local schools. The area is underdeveloped and she does not believe that a tavern should be constructed first because the area will not continue to attract young families.

MR. MORENO acknowledged all the comments and stated that if a tavern were constructed before additional families moved in the area, at least it would be families that are aware of the tavern's existence and would not mind the vicinity of a tavern. Whereas, if the tavern were to be approved at a later time, the many residents already in the area would then oppose the tavern making it hard for commercial development. MR. APOLLO would be the operator of the proposed tavern and is well known for running a professional establishment with good value. He described the layout of the tavern and stated the liquor will be served separate from where the food will be served and the prices are to be reasonable. He stated that US95 will be an appropriate buffer for the schools and because the distance exceeds the required radius by three times, believes the tavern is appropriate.

MR. MORENO requested the Special Use Permit be approved and offered to negotiate terms of conditions for the Site Development Plan Review to satisfy Focus Property Group's requests. He stated that a one-year review is acceptable and would be willing to participate in a meeting to reach further compromise with Focus Property Group.

MR. LARSEN stated that part of the opposition relates to the meaning of tavern. He informed the Council that a tavern is an operational designation so that the amount of food sold to the amount of alcohol sold does not need to be tracked. Many people take their families out to dine and do not realize that those facilities have a tavern license. He gave Blueberry Hill Restaurant as an example. The facility is going to be a very nice restaurant with the operational freedom that a tavern has with seating,

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

menu options, and having additional slot machines.

COUNCILMAN MACK was disappointed to hear that many residents received last minute notice about the project. The majority of the landowners affected are Focus Property Group and the new Kyle Canyon Gateway project, which endured great efforts to find a suitable design and nature conservancy to accomplish a unique master plan. He explained the plans and emphasized that commercial will enter the area even though the majority will be residential. He spoke of the proposed casino site and noted that eventually there will be multiple taverns for the area. COUNCILMAN MACK confirmed that sound walls will be constructed along US95 past Kyle Canyon, and because there is a great buffer between the school and the proposed project, he supports the project. He noted that although there are several in opposition of the tavern, there is still a silent majority that did not oppose because they may be interested in using the service.

COUNCILMAN BROWN informed the residents in opposition that the neighborhood east of US95 was contested when first proposed. The Council started a process eight years ago that led to the limited commercial development at US95 and the Beltway to allow residential development. The northwest area is one of the nicest areas to live in and is so because of master planning that is projected to incorporate both residential and commercial corridors in a protected manner. He stated that while these projects are currently not favored, they will secure the residential areas serving as buffers.

MAYOR GOODMAN declared the Public Hearing open for Item 125 [SUP-6401] and Item 126 [SDR-6402].

(5:18 - 5:47)

6-2026

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
2. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review [(SDR-6402)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6401

SDR-6402 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH, AIA, LLC - OWNER: OSO BLANCA LLC - Request for a Site Development Plan Review FOR A 5,843 SQUARE FOOT TAVERN on 2.37 acres adjacent to the northwest corner of Iron Mountain Road and Oso Blanca Road (APN 125-06-002-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions and the following added conditions as read for the record as follows:

- Required one-year review to City Council for a status report.
- UNANIMOUS

MINUTES:

NOTE: See Item 125 [SUP-6401] for all related discussion.
(5:18 - 5:47)
6-2026

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped 03/29/05 except as amended by conditions herein.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to indicate that the 6,750 square foot retail building, associated landscaping and parking is not a part of the subject site.
3. The landscape plan shall be revised to reflect a 15-foot landscape buffer along Iron Mountain Road. Additionally, twenty trees shall be added to the west property line or located throughout the site as required by the Commercial Development Standards, prior to the time the application is made for a building permit.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.
6. The trash enclosures shall be fully enclosed and roofed using the same design theme as the principal structure on the site. The trash enclosure shall be reviewed administratively by staff.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five gallon shrubs for each tree within provided planters.
11. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

Public Works

17. Dedicate an additional 10 feet of right-of-way for a total of 80 feet of right-of-way for Oso Blanca Road, a minimum of 40 feet of right-of-way adjacent to this site for Iron Mountain Road and dedicate additional rights-of-way required by Standard Drawings #234.1 or #234.3 and #234.2 prior to the issuance of any permits for this site.

18. Dedicate the area needed for a radius meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street with a design velocity of 35 miles per hour (MPH) to allow Iron Mountain Road to curve near the southeast corner of the site into Oso Blanca Road at a ninety degree angle. Coordinate with the City of Las Vegas Traffic Engineering Section to determine dedication details for Iron Mountain Road to intersect Oso Blanca Road. Also coordinate with the City Engineer to determine dedication and Vacation requirements, if any, to accommodate the Mountain's Edge Parkway project adjacent to this site.

19. Coordinate with the Right of Way Section of the Department of Public Works to submit to the Bureau of Land Management for a BLM right of way grant across the parcel to the east for road, sewer and drainage easements as required to allow Iron Mountain Road to intersect Oso Blanca Road at a 90 degree angle.

20. Construct half-street improvements including appropriate overpaving, if legally able on Iron Mountain Road and construct full-street improvements on Oso Blanca Road adjacent to this concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

23. Extend oversized public sewer in Oso Blanca Road to the northern edge of this site and oversized public sewer in Iron Mountain Road to the western edge of this site to a location and depth as required by the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

24. Landscape and maintain all unimproved rights of way adjacent to this site.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

25. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to issuance of any permits or approval of construction drawings for this site.

26. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6405 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORP. - Request for a Special Use Permit FOR A PROPOSED TEMPORARY SALES TRAILER adjacent to the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 127 [SUP-6405] and Item 128 [SDR-6403].

JOHN BONE, 1050 Indigo Drive, requested approval and agreed with the conditions. COUNCILMAN MACK recognized the Mayor's attendance at the groundbreaking for the project and noted his anticipation of fruition.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing open for Item 127 [SUP-6405] and Item 128 [SDR-6403].

(5:47 - 5:48)

7-388

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-6403.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

or an Extension of Time is granted by the City Council.

3. Consideration shall be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments
4. All City Code requirements and design standards of all City departments must be satisfied.
5. There shall be a one year review by the Planning Commission.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6405

SDR-6403 - PUBLIC HEARING - APPLICANT/OWNER: CARINA CORP. - Request for a Site Development Plan Review FOR A 1,400 SQUARE FOOT TEMPORARY SALES TRAILER AND A WAIVER OF THE PARKING LOT LANDSCAPING STANDARD on .016 acres on the southwest corner of Farm Road and Tule Springs Road (APN 125-17-702-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter

MOTIONS:

MACK -- APPROVED subject to conditions UNANIMOUS with REESE not voting

MINUTES:

NOTE: See Item 127 [SUP-6405] for all related discussion.
(5:47 - 5:48)
7-388

CONDITIONS:

Planning and Development

- 1. Prior to the issue of building permits a revised site plan shall be submitted to the Planning and Development Department that shows a properly sized pedestrian open space area of at least 250 square feet.
- 2. Multi-Use Transportation Trail shall be included in the improvements of the west side of Tule Springs Road per condition of SDR-4290.
- 3. A Special Use Permit (SUP-6405) for the Temporary Sales Trailer approved by the City Council.
- 4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

5. All development shall be in conformance with the site plan and building elevations, date stamped 03/29/05, except as amended by conditions herein.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf and the correct number of trees along Farm and Tule Springs.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All perimeter walls shall conform to the standards of the Town Center Development Standards Manual.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. The applicant shall meet with Planning and Development Staff to develop an address plan prior to issue of permits.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

14. All temporary improvements associated with this site shall be removed at the time of termination of the temporary use.
15. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6418 - PUBLIC HEARING - APPLICANT/OWNER: RAINBOW II, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT at 615 Tonopah Drive (APN 139-33-302-025), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 129 [SUP-6418] and Item 130 [SDR-6415].

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared with KEN WOLFSON and described the location of the site. She explained the unique challenges for the mid-rise development via renderings. She noted the Mayor's comments that speculation oftentimes undermines the City's vision for redevelopment, and stated that the project is within the City's medical district. Marketing will be to the medical professionals that live in the area and to the 61 acres. She has worked with City staff diligently. Construction should begin October 2005 with the hopes for local residents in the establishment. She requested approval.

MAYOR GOODMAN stated that he is not concerned with the demographics of this project because of the nature of the community; however, MR. WOLFSON has yet to have a project materialize and only hopes that this project will be successful. COUNCILMAN WEEKLY recognized ATTORNEY CHRIS KAEMPFER for producing professional and thorough employees. MR. WOLFSON stated all efforts would be placed into the development of this project.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing open for Item 129 [SUP-6418] and Item 130

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

[SDR-6415].

(5:48 - 5:53)

7-523

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Las Vegas Medical District Plan for Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6415).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. New Construction
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6418

SDR-6415 - PUBLIC HEARING - APPLICANT/ OWNER: RAINBOW II, LLC - Request for a Site Development Plan Review FOR A THREE-STORY, MIXED USE DEVELOPMENT INCLUDING; FIVE RESIDENTIAL UNITS AND 260 SQUARE FEET OF COMMERCIAL SPACE AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENT on 0.41 acres at 615 Tonopah Drive (APN 139-33-302-025), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

NOTE: See Item 129 [SUP-6418] for all related discussion.

(5:48 - 5:53)

7-523

CONDITIONS:

Planning and Development

1. The proposed streetscape along Tonopah Drive will include a 10 foot wide sidewalk, with a 24 inch box tree every 30 feet on center and a four foot by a four foot tree grate placed within the right-of-way portion of the sidewalk adjacent to Tonopah Drive.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. All development shall be in conformance with the site plan and building elevations, date stamped 03/29/05 except as amended by conditions herein.
5. A Homeowners Association shall be established to maintain all perimeter walls, private drives,

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

including all common areas created by this action.

6. The site plan shall be revised and approved by Planning and Development Department staff; prior to the time application is made for a tentative map, to reflect a location on the east portion of the property to allow backing room for 2 parking stalls located along this property line.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center with 4 foot by 4 foot tree grate along Tonopah Drive, to be placed along the back of curb.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance the northern façade articulation.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. The trash enclosure will be required to have a roof structure added that will conform to the Las Vegas Medical District Plan and conform to the design of the overall site.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize light fixtures that are to be approved by the Planning & Development Department and shall provide downward-directed lighting. Wallpack lighting shall utilize light fixtures that are to be approved by the Planning & Development Department and shall provide downward-directed lighting on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
16. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

Public Works

17. Construct all incomplete half-street improvements, if any, on Tonopah Drive adjacent to this site concurrent with development of this site.

18. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

20. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to issuance of any permits for this site.

21. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6207 - PUBLIC HEARING - APPLICANT: ARAM CHOUKHACHIAN - OWNER: TJ PLAZA, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 2101 South Decatur Boulevard Suites 19 and 20 (APN 163-01-708-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARAM CHOUKHACHIAN, 2101 South Decatur Boulevard, requested approval for the license of his business. At the Mayor's request, he confirmed his restaurant is already established. It serves Persian/Eastern food, and the request is to expand his services.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(5:54 - 5:55)

7-628

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

4. All City Code requirements and design standards of all City departments must be satisfied.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6360 - PUBLIC HEARING - APPLICANT: DOLLAR LOAN CENTER: - OWNER: PAN PACIFIC RETAIL PROPERTIES - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND WAIVERS OF THE 1,000 FOOT DISTANCE SEPARATION FROM A SIMILAR USE AND THE 200 FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE at 3051 North Rainbow Boulevard (APN 138-15-502-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN abstaining because of his partnership with ATTORNEY JAY BROWN on property known as the VA Clinic on West Charleston Boulevard

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and announced his abstention.

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared with DAVE GALYEN and RICHARD MORENO. The applicant has been in the same shopping center for five years and is asking to relocate within the same shopping center. He stated the applicant has been a good prosperous tenant, needs additional space, and he requested approval.

MR. MORENO wished COUNCILMAN MACK luck on his new career endeavors. He recognized that his office and staff has been a pleasure to work with and he congratulated him on his professionalism.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(5:55 - 5:58)

7-628

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use and the separation requirement to another Financial Institution, Specified use.
2. The Waiver requests for the 200-foot separation requirement and the 1000-foot separation requirement shall be granted.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.
5. The use shall comply with all applicable requirements of LVMC Title 6.
6. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
7. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
8. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6372 - PUBLIC HEARING - APPLICANT: 2ND SWING - 2 GOLF - OWNER: THREE B'S, INC.
- Request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 8689 West Charleston Boulevard, Suite #102 (APN 163-05-517-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). [NOTE: This item to be heard in conjunction with Morning Session Item 77] The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification letter and email

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD CRANDLE, 4445 Oakview Lane, Plymouth Minnesota, appeared on behalf of Second Swing. MAYOR GOODMAN questioned if Three B's Inc. is the same corporation that had previous issues with a wall and MR. CRANDLE confirmed that they are not the same. COUNCILMAN MACK questioned if Second Swing Golf services used equipment via the internet or strictly through the store. MR. CRANDLE explained that used equipment could be traded for new or different equipment. The customer would receive store credit that would allow the customer to trade for something immediately or at that a later time.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(5:58 - 6:01)
7-762

CONDITIONS:

Planning and Development

- 1. Conformance to all Minimum Requirements under Title 19.04.050 for the Secondhand Dealer use.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6378 - PUBLIC HEARING - APPLICANT: DEAN KAPLAN - OWNER: NORTHSHORE PLAZA, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN AND WAIVERS OF THE 200 FOOT SEPARATION FROM RESIDENTIAL ZONING AND THE 1,500 FOOT MINIMUM AREA REQUIREMENT at 8410 West Cheyenne Avenue, Suite #101 (APN 138-09-420-007), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letters

MOTIONS:

BROWN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DEAN KAPLAN, 4691 Designer Way, explained there is already a Special Use Permit that was granted for payday loans and requested a permit to conduct auto title loans at the same location.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(6:01 - 6:02)

7-871

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.040 for Auto Title Loan uses.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All City Code requirements and design standards of all City departments must be satisfied.

4. Waivers of the 200-foot separation from residential zoning and the 1,500 square foot minimum floor area requirements are hereby granted.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6394 - PUBLIC HEARING - APPLICANT: JOANNE PRIETO - OWNER: BURNS FAMILY LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 4864 West Lone Mountain Road (APN 125-36-818-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOANNE PRIETO, 4864 West Lone Mountain, appeared on behalf of Enrico's Italian Bistro and requested approval for the beer and wine license to compliment their food. COUNCILMAN BROWN and MAYOR GOODMAN announced that prior to the noon break, MS. PRIETO provided the Council and staff with Cannolis, but DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that because the food did not compromise their independent judgment, no abstention is required. MAYOR GOODMAN thanked MS. PRIETO for the refreshingly wonderful gesture.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(6:02 - 6:04)

7-913

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04 for the Restaurant Service Bar use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6395 - PUBLIC HEARING - APPLICANT: RUN RESTAURANTS, LLC - OWNER: CNL FUNDING 2000-A, LP - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB AND A WAIVER OF THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 6800 West Sahara Avenue (APN 163-02-415-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="1"/>
City Council Meeting	<input type="text" value="0"/>

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JIM NYBERG, 6125 West Sahara, explained that the project promotes a concept called the Hash House out of San Diego. This project will convert the old Chevy's location near Rainbow Boulevard on Sahara Avenue. COUNCILWOMAN TARKANIAN confirmed their food is excellent and welcomed the addition to Ward 1. MR. NYBERG stated that he met with the Pastor of the nearby church and he was able to obtain support for the fact that there is going to be an operating establishment.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(6:04 - 6:07)

7-986

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the Supper Club use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All City Code requirements and design standards of all City departments must be satisfied.
4. A Waiver of the 400-foot distance separation requirement from an existing church is hereby approved.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6417 - PUBLIC HEARING - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING RETAIL STORE AND WAIVERS OF THE 1,000-FOOT MINIMUM DISTANCE SEPARATION FROM A SIMILAR USE, 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE, AND THE HOURS OF OPERATION REQUIREMENTS adjacent to the northeast corner of Craig Road and Jones Boulevard (APN 138-01-219-004), C-1 (Limited Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - Motion carried with TARKANIAN voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RYAN ARNOLD, 3225-B South Rainbow, appeared on behalf of Wal-Mart. He requested approval to allow Wal-Mart to cash payroll checks for customers. He explained that the service would cost \$3 per check and classify Wal-Mart a financial institution that would require a waiver for the 24-hour use, the separation from residential, and the separation from a facility with similar use.

STEVEN "CAPTAIN TRUTH" DEMPSEY claimed that Wal-Mart is not a good citizen for the community, and negatively associated California's illegal immigrant issue with Nevada. He requested staff explain their recommendation of denial. COUNCILMAN REESE clarified the requirement standards that conflict with the request. MARGO WHEELER, Director of Planning and Development, confirmed COUNCILMAN REESE'S explanation, based on the waivers, was accurate.

COUNCILMAN MACK stated he had never received financial contribution from Wal-Mart, but noted that Wal-Mart has been civically oriented in the Las Vegas community. Wal-Mart has graciously

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

participated in community driven benefits and has only forced other retailers to become more competitive. COUNCILWOMAN TARKANIAN stated that the reasons for denial are too significant for her to support and, although Wal-Mart thrives in many ways, does not believe the extra service is necessary. MR. ARNOLD stated they do not intend to service financial lending or auto title loans, only check cashing. He confirmed there will not be any additional advertisement for the new service.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(6:07 - 6:14)

7-1165

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use and the separation requirement to another Financial Institution, Specified use.
2. The Waiver request to operate 24hrs shall be granted.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.
5. The use shall comply with all applicable requirements of LVMC Title 6.
6. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
7. No exterior signage indicating "Check Cashing" services.
8. This Special Use Permit shall be for check cashing only; no Auto Title Loan or Paycheck Advance uses.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-6419 - PUBLIC HEARING - APPLICANT: EN ENGINEERING, INC. - OWNER: WAL-MART STORES, INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING RETAIL STORE AND WAIVERS OF THE 1,000-FOOT MINIMUM DISTANCE SEPARATION FROM A SIMILAR USE, THE 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE, AND THE HOURS OF OPERATION REQUIREMENTS adjacent to the southwest corner of Lake Mead Boulevard and Jones Boulevard (APN 138-23-719-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK - APPROVED subject to conditions - Motion carried with TARKANIAN voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RYAN ARNOLD, 3225-B South Rainbow, appeared on behalf of Wal-Mart and requested approval. COUNCILMAN MACK clarified that a waiver request usually indicates there is not enough distance as required. Oftentimes the Planning Commission will make a recommendation for approval or denial, but regardless, staff must strictly follow the City's Code. Because of the conflicting recommendations, Council is left to make the ultimate decision that has led to be difficult and controversial.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(6:14 - 6:15)

7-1338

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified and Auto Title Loan uses.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. No exterior signage indicating "Check Cashing" services.
5. This Special Use Permit shall be for check cashing only; no Auto Title Loan or Paycheck Advance uses.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REZONING

ZON-6231 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Abeyance request from Attorney Paul Larsen for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
6. Submitted after final agenda - Protest letter from Marian and David Haas for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
7. Backup referenced from the 5/12/2005 Planning Commission meeting Item 25

MOTIONS:

REESE - Motion to HOLD IN ABEYANCE Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] to 7/20/2005 - UNANIMOUS

MINUTES:

COUNCILMAN REESE indicated the developer asked to hold the items in abeyance to allow more time to meet with the residents of the neighborhood.

(2:37 - 2:38)

5-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-6231

VAR-6232 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 26,450 SQUARE FEET IS THE MINIMUM REQUIRED on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="92"/>
City Council Meeting	<input type="text" value="2"/>

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	<input type="text" value="0"/>
City Council Meeting	<input type="text" value="0"/>

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Abeyance request from Attorney Paul Larsen for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
6. Submitted after final agenda - Protest letter from Marian and David Haas for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
7. Submitted after final agenda - Protest letter from Wayne and Mei Hui Campbell
8. Backup referenced from the 5/12/2005 Planning Commission meeting Item 26

MOTIONS:

REESE - Motion to HOLD IN ABEYANCE Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] to 7/20/2005 - UNANIMOUS

MINUTES:

COUNCILMAN REESE indicated the developer asked to hold the items in abeyance to allow more time to meet with the residents of the neighborhood.

(2:37 - 2:38)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6231 AND VAR-6232

SDR-6233 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 37 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Abeyance request from Attorney Paul Larsen for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
6. Submitted after final agenda - Protest letter from Marian and David Haas for Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] filed under Item 139 [ZON-6231]
7. Backup referenced from the 5/12/2005 Planning Commission meeting Item 27

MOTIONS:

REESE - Motion to HOLD IN ABEYANCE Item 139 [ZON-6231], Item 140 [VAR-6232] and Item 141 [SDR-6233] to 7/20/2005 - UNANIMOUS

MINUTES:

COUNCILMAN REESE indicated the developer asked to hold the items in abeyance to allow more time to meet with the residents of the neighborhood.

(2:37 - 2:38)

5-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REZONING

ZON-6412 - PUBLIC HEARING - APPLICANT/ OWNER: CIELO VISTA LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on 1.1 acres adjacent to the southeast corner of Washington Avenue and Veterans Memorial Drive (APN 139-27-708-001), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY -- APPROVED subject to conditions -- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411].

A Combined Verbatim Transcript for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411] filed under Item 142 [ZON-6412] is made part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

MICHAEL MACK, Councilman

MIKE TIEDEMANN, MWT Ofra Architecture, 3753 Howard Hughes Parkway, Suite 200

STEVE HARTLEY, Northwest Resource Management Group, 19936 Balenger Way, Northeast, Seattle, Washington

AL GALLEGO, Las Vegas resident

LAWRENCE WEEKLY, Councilman

STEVEN PILKINGTON, 905 Las Vegas Boulevard North

KENNETH K. WILLIAMS, 130 Palm Lane, Las Vegas, 89101

BRYAN SCOTT, Deputy City Attorney

GARY REESE, Councilman

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

TERRY JICINSKY, 2577 Palmera

MARGO WHEELER, Director, Planning and Development Department

MAYOR GOODMAN declared the Public Hearing open for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411].

(6:15 - 6:43)

7-1484

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

2. Site Development Plan Review SDR-6411, Variance VAR-6413, and Special Use Permit (SUP-6414) to allow Mixed-Use development approved by the City Council.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-6412

VAR-6413 - PUBLIC HEARING - APPLICANT/ OWNER: CIELO VISTA LLC - Request for a Variance TO ALLOW A ZERO FRONT STEPBACK RATIO WHERE A 1:1 STEPBACK RATIO IS REQUIRED ALONG A COLLECTOR OR LARGER STREET FOR A 312-FOOT TALL BUILDING on 2.8 acres adjacent to the southeast corner of Washington Avenue and Veterans Memorial Drive (APN 139-27-708-001 and -002), R-1 (Single Family Residential) and C-2 (General Commercial) Zones [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY -- APPROVED subject to conditions -- UNANIMOUS with MACK not voting

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411] filed under Item 142 [ZON-6412] is made part of the Final Minutes.

(6:15 - 6:43)

7-1484

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning ZON-6412, Special Use Permit SUP-6414, and Site Development Plan Review SDR-6411.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Acquire all necessary permits from the Department of Building and Safety.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-6412 AND VAR-6413

SUP-6414 - PUBLIC HEARING - APPLICANT/OWNER: CIELO VISTA LLC - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the southeast corner of Washington Avenue and Veteran Memorial Drive (APN 139-27-708-001 and -002), R-1 (Single Family Residential) and C-2 (General Commercial) Zones [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY -- APPROVED subject to conditions -- UNANIMOUS with MACK not voting

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411] filed under Item 142 [ZON-6412] is made part of the Final Minutes.

(6:15 - 6:43)
7-1484

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Rezoning ZON-6412, Variance VAR-6413, and Site Development Plan Review SDR-6411.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6412, VAR-6413, AND SUP-6414

SDR-6411 - PUBLIC HEARING - APPLICANT/OWNER: CIELO VISTA LLC - Request for a Site Development Plan Review FOR A 37-STORY MIXED USE DEVELOPMENT INCLUDING; 414 RESIDENTIAL UNITS AND 32,970 SQUARE FEET OF COMMERCIAL SPACE on 2.8 acres adjacent to the southeast corner of Washington Avenue and Veterans Memorial Drive (APN 139-27-708-001 and -002), R-1 (Single Family Residential) and C-2 (General Commercial) Zones [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

WEEKLY -- APPROVED subject to conditions and amending Condition 3 as read for the record as follows:

3. All development shall be in conformance with the site plan and building elevations for 27 stories, date stamped 03/29/2005, except as amended by conditions herein.

-- UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 142 [ZON-6412], Item 143 [VAR-6413], Item 144 [SUP-6414] and Item 145 [SDR-6411] filed under Item 142 [ZON-6412] is made part of the Final Minutes.

(6:15 - 6:43)

7-1484

CONDITIONS:

Planning and Development

1. Rezoning ZON-6412, Variance VAR-6413, and Special Use Permit (SUP-6414) to allow Mixed-Use development approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

3. All development shall be in conformance with the site plan and building elevations, date stamped 03/29/05, except as amended by conditions herein.
4. The Waiver from the Residential Adjacency separation requirement is hereby approved.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf and the required number and size of trees along the streets and perimeter.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. All mechanical equipment shall be fully screened from street level and surrounding building views.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
10. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

14. Coordinate with the City Surveyor to determine the method of mapping necessary, if mapping is required; if such mapping is required it should record prior to the issuance of any building permits for this site.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.
17. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

18. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON 6412 and all other subsequent site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-6298 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (OFFICE) AND SC (SERVICE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification letter

MOTIONS:

MACK -- APPROVED -- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307].

A Combined Verbatim Transcript for Item Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307] is filed under Item 146 [GPA-6298] is made part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway

MICHAEL MACK, Councilman

BRYAN SCOTT, Deputy City Attorney

MARGO WHEELER, Director, Planning & Development Department

UNIDENTIFIED MALE SPEAKER

PAUL SAUNDERS, 6120 Rymer Court

CRISTINE PARKER, 6200 Sierra Pines Court

JEANNE HARTMANSZERBIEC, 6221 Burnt Hills Drive

CITY COUNCIL MEETING OF: JUNE 15, 2005

MINUTES - continued:

TIM HARTMANSZERBIEC, 6221 Burnt Hills Drive

GARY REESE, Councilman

BART ANDERSON, Public Works

LOIS TARKANIAN, Councilwoman

ORVIE DAHL, 6204 Sierra Pines Court

FRANSISCO MONROIG, 6113 Burnt Hills Drive

UNIDENTIFIED SPEAKER

STEVE WOLFSON, Councilman

ROLAND STURM, Developers of Nevada

MAYOR GOODMAN declared the Public Hearing closed for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307].

(6:43 - 7:39)

7-2705

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-6298

ZON-6300 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: R-PD11 (RESIDENTIAL PLANNED DEVELOPMENT - 11 UNITS PER ACRE) on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK -- APPROVED subject to conditons and amending Conditions 5 and 6 as read for the record as follows:

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. The Traffic Impact Analysis shall specifically address a second access point for this subdivision; provide a second active access point if recommended by the City Traffic Engineer.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MOTIONS - continued:

6. Remove and replace all substandard public street improvements adjacent to this site concurrent with development of this site.

-- And adding the following condition as read for the record as follows:

-- The development of this site shall be zoned as R-PD10 and limited to a maximum of 176 detached, single-family homes.

-- Motion carried with TARKANIAN voting NO

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307] filed under Item 146 [GPA-6298] is made part of the Final Minutes.

(6:43 - 7:39)

7-2705

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6298) to a MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.

2. A Resolution of Intent with a two-year time limit.

3. All previous Resolutions of Intent on this property shall be expunged.

4. Applications for a Title 18 Waiver (WVR-6441), Variance (VAR-6305), and Site Development Plan Review (SDR-6307) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works

CITY COUNCIL MEETING OF: JUNE 15, 2005**CONDITIONS - continued:**

prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

8. Site development to comply with all applicable conditions of approval for Z-81-02 and all other applicable site-related actions.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

WAIVER RELATED TO GPA-6298 AND ZON-6300

WVR-6441 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for Waivers to Title 18.12.105 AND 18.12.130 TO ALLOW PRIVATE DRIVES OF UP TO 234 FEET IN LENGTH WHERE 200 FEET IS THE MAXIMUM LENGTH ALLOWED AND TO ALLOW PRIVATE DRIVES GREATER THAN 150 FEET IN LENGTH TO TERMINATE WITHOUT A TURNAROUND OR AN EMERGENCY ACCESS GATE on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK -- APPROVED subject to conditions -- UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307] filed under Item 146 [GPA-6298] is made part of the Final Minutes.

(6:43 - 7:39)

7-2705

CONDITIONS:

Planning and Development

1. Approval of General Plan Amendment (GPA-6298) and approval of and conformance to the Conditions of Approval for Rezoning (ZON-6300), Variance (VAR-6305) and Site Development Plan Review (SDR-6307).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-6298, ZON-6300 AND WVR-6441

VAR-6305 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Variance TO ALLOW 1.34 ACRES OF OPEN SPACE WHERE 3.00 ACRES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED 182 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK -- APPROVED subject to conditions and replacing Condition 3 as read for the record as follows:

3. The following amenities shall be provided within the open space area, a large piece of tot-lot equipment, which shall include a slide, two rocking spring riders, two barbeques, four covered picnic tables, a minimum of three workout stations, two concrete game tables with benches, a bocce ball court and a fenced dog exercise area.

-- UNANIMOUS

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307] filed under Item 146 [GPA-6298] is made part of the Final Minutes.

(6:43 - 7:39)

7-2705

CONDITIONS:

Planning and Development

1. Approval of General Plan Amendment (GPA-6298) and approval of and conformance to the Conditions of Approval for Rezoning (ZON-6300) and Site Development Plan Review (SDR-6307).

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. In lieu of compliance with the open space requirements of Title 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$289,060.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

CONSENT DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6298, ZON-6300, WVR-6441 AND VAR-6305

SDR-6307 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC. - Request for a Site Development Plan Review FOR A PROPOSED 182 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter

MOTIONS:

MACK -- APPROVED subject to conditions and amending Conditions 5, 6, 7, 12 and 17 as read for the record as follows:

5. All development shall be in conformance with the site plan and building elevations date stamped 6/7/2005 for a maximum of 176 units, except as modified by conditions herein.
6. The minimum distance between buildings shall be 6 feet. A maximum of 15 lots, which are restricted to single-story homes, not to exceed 20 feet in height, shall abut the existing residences along the northern and western property lines. Building height on all other lots shall not exceed 2 stories or 35 feet, whichever is less.
7. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.
12. Any new property line wall shall be a decorative block wall, with at least 20 % contrasting materials; except any which may replace the existing walls adjacent to the residences along the northern and western borders, which shall be of flat block colored and textured to match as closely as possible the individual homeowners' existing walls. Retaining walls may not exceed 6 feet without a 4-foot landscaped offset between walls. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF: JUNE 15, 2005

MOTIONS - continued:

17. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the approval of construction drawings, or eliminate access, unless otherwise allowed by the City Traffic Engineer.

-- And the following conditions added as read for the record as follows:

-- No lot adjacent to the existing residences along the northern and western property lines shall have a finished elevation higher than the existing residential lot it abuts.

-- If legally able and with the permission of the property owner, all existing walls adjacent to the residences along the northern and western property lines shall be torn down and replaced, at the developers sole expense, with a new wall which shall measure a total of 8 feet in height above the finished grade of this site, including any retaining wall which may be required. The developer also agrees to complete the wall between 6212 and 6216 Sierra Pines, in order to tie it into a new property line wall, if allowed by the owners of those homes. The developer also agrees to assume all liability for any damage that may occur to any lateral walls due to construction of a new property line wall and to erect any temporary fence or wall that may be required during the construction of a new permanent wall.

-- Motion carried with TARKANIAN voting NO

MINUTES:

NOTE: A Combined Verbatim Transcript for Item 146 [GPA-6298], Item 147 [ZON-6300], Item 148 [WVR-6441], Item 149 [VAR-6305] and Item 150 [SDR-6307] filed under Item 146 [GPA-6298] is made part of the Final Minutes.

(6:43 - 7:39)

7-2705

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6298) to an MLA (Medium-Low Attached Density Residential) land use designation and a Rezoning (ZON-6300) to a R-PD11 (Residential Planned Development - 11 units per acre) Zoning District approved by the City Council.
2. A Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 approved by the City Council.
3. A Variance (VAR-6305) to allow a reduction in open space approved by the City Council.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. All development shall be in conformance with the site plan and building elevations date stamped 04/04/05, except as amended by conditions herein.
6. The minimum distance between buildings shall be six feet. Lots 10-27 shall be single-story. Building height on all other lots shall not exceed two stories or 35 feet, whichever is less.
7. The setbacks for this development shall be a minimum of five feet to the front of the house, a maximum of five feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of five feet on the side, and a minimum of three feet in the rear, except Lots

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

10-27, which shall have a minimum rear yard setback of five feet.

8. A revised Lot Fit Analysis shall be submitted for review by Planning and Development Department staff prior to submittal of a Tentative Map on this site.

9. The landscape plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, to reflect 24-inch box trees in the parking areas in conformance with Landscape, Wall and Buffer Standards.

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.

12. Any new property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Any combination of retaining and screening walls shall not exceed eight feet in height. Retaining walls may not exceed six feet without a four-foot landscaped offset between walls. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. The submitted Parcel Map, PMP 5453, must record prior to the recordation of a Map subdividing this site.

16. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any maps for this site or the issuance of any permits. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

17. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the approval of construction drawings or eliminate access.

18. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and

CITY COUNCIL MEETING OF: JUNE 15, 2005

CONDITIONS - continued:

maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

21. Site development to comply with all applicable conditions of approval for Zoning Actions Z-0081-02, ZON 6300 and all other applicable site-related actions.

22. Public Works notes that waivers from the Title 18 Subdivision Ordinance, 18.12.105 & 18.12.130, must be approved for the site plan received March 15, 2005. If the waivers are not approved the site plan shall be NULL AND VOID and the site must be redesigned.

23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

24. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that deviated knuckle designs are shown on this map.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 15, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

CONSENT **DISCUSSION**

SUBJECT:

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

MINUTES:

NL-1912 Holmes Street, RQR-6169, RQR-6171, SUP-5984, SUP-6207, SUP-6360, SUP-6372, SUP-6378, SUP-6394, SUP-6395, SUP-6401, SUP-6405, SUP-6414, SUP-6417, SUP-6418, SUP-6419, VAR-6232 and VAR-6413 - 7/6/2005 AGENDA



AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JUNE 15, 2005

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

MINUTES:

DOROTHY BARNES, Las Vegas resident, requested a meeting with the Mayor. She shared her life experiences and personal turmoil as a Las Vegas resident.

(7:36 - 7:38)

8-1575

MOODY SCOTT, Blues recording artist, sang a song to bid farewell to COUNCILMAN MACK.

(7:38 - 7:41)

8-1652

STEVEN "CAPTAIN TRUTH" DEMPSEY, distributed and reviewed documents concerning community outrage. He expressed concern for Council members abdicating their duties.

(7:41 - 7:44)

8-1738

AL GALLEGOS, Las Vegas resident, thanked COUNCILMAN MACK for doing an outstanding job in Ward 6 and wished him Godspeed in his new career endeavors. MAYOR GOODMAN expressed his appreciation to COUNCILMAN MACK for conducting a tremendous meeting.

(7:44 - 7:45)

8-1865

MEETING ADJOURNED AT 7:45 P.M.