

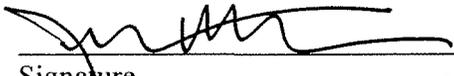
4. Attach two copies of all documents or items you believe provide credible evidence to support your allegations. NRS 281A.440.2(b)(1) requires you to submit all related evidence to support your allegations. NAC 281A.435.3 defines credible evidence as a minimal level of any reliable and competent form of proof provided by witnesses, records, documents, exhibits, minutes, agendas, videotapes, photographs, concrete objects, or other similar items that would reasonably support the allegations made within the complaint. Credible evidence does not include a newspaper article or other media report if the article or report is offered by itself.

State the total number of additional pages attached (including evidence) 52.

REQUESTOR'S INFORMATION:

NAME: <u>Jacob Hafter</u>	E-MAIL: <u>jhafter@hafterlaw.com</u>
ADDRESS: <u>7201 W Lake Mead Blvd Ste 210</u>	
CITY, STATE, ZIP: <u>Las Vegas, NV 89128</u>	
TELEPHONE: <u>702-405-6700</u>	CELL PHONE:

By my signature below, I do affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief and I am willing to provide sworn testimony if necessary regarding these allegations.


Signature _____
Print Name: Jacob Hafter

10/21/10
Date _____

Please return an original signed form, two copies of the form, and three copies of the supporting documents and evidence to:

**Executive Director
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703**

Ethics complaints submitted by facsimile will not be considered as properly filed with the Commission.
NAC 281A.255.3

CONDUCT VIOLATING NRS CHAPTER 281A

Assemblyman Morse Arberry served in the Nevada State Assembly for many years until his abrupt resignation on August 31, 2010 (see attachment A). Mr. Arberry has served as Chairman of the powerful Ways & Means Committee for many years, and currently serves as Vice Chairman of the equally powerful Interim Finance Committee.

Assemblyman Arberry formed Titan Partners, LLC [hereafter "Titan"], a domestic limited-liability company, by filing with the Secretary of State on June 21, 2010. According to the Secretary of State's web site, Mr. Arberry is the only officer of the LLC (see Attachment B).

Through Titan Mr. Arberry actively sought an "employment, engagement, emolument or economic opportunity" in the form of a contract for lobbying services with the Eighth Judicial District Court [hereafter "Court"] in Las Vegas while concurrently serving in the Legislature and on the Interim Finance Committee. Evidence of this is that the agenda for the September 7, 2010 Clark County Commission was posted on August 31, 2010, and the request to include agenda item #97 on the Commission agenda for approval of Mr. Arberry's profitable contract was submitted by the Eighth Judicial District Court on August 26, 2010. (see attachment C for the Clark County Commission agenda and supporting documentation for September 7, 2010, Item 97; Item 97 submission date and agenda posting date provided by Clark County Public Information Office)

Between June 21, 2010 and August 31, 2010, the Interim Finance Committee met twice and planned a third meeting agenda. The agendas of the June 24, July 21 and September 10 meetings can be found on-line at:

<http://leg.state.nv.us/Interim/75th2009/Committee/Scheduler/committeeIndex.cfm?ID=1>

In particular, at the June 24 meeting there was an item which directly impacted the Eighth Judicial District Court:

"List I

114. Department of Health and Human Services – Division of Welfare and Supportive Services – Child Support Enforcement Program – FY 2011 – Addition of \$210,617 in federal Child Support Program funds and \$1,500,000 in Balance Forward from Previous Year to implement a new pilot program with the Eighth Judicial District Court to increase court calendar time to improve child support collections. Requires Interim Finance approval since the amount added to the New Court Calendar category exceeds \$50,000. Work Program #C17799"

Mr. Arberry did not disclose his negotiations with the Court at the time of the June 24, 2010 meeting, which undoubtedly would have been a violation of the disclosure and abstention provision in NRS 281A.420, but thanks to Mr. Arberry's yes vote in the 2009 legislative session, such prohibition is conveniently no longer applicable to state legislators.

Further, his actions in using his public office and his powerful position to obtain lucrative lobbying contracts [the Court contract is just the tip of the iceberg in what Mr. Arberry has been up to] while still in office are blatant violations of NRS 281A.400(1), NRS 281A.400(2), NRS

281A.400(5) and NRS 281A.400(10). Mr. Arberry's use of his public office was unwarranted. He used inside information he was privy to as a legislator and Vice Chairman of the Interim Finance Committee to seek and attempt to secure employment and contracts which would not only further his pecuniary interests but would also tend to make a reasonable person in his position depart from the faithful and impartial discharge of his public duties.

Mr. Arberry best explained his motivation in an interview with the Las Vegas Sun's David McGrath Schwartz on September 1, 2010, stating "I think you have to hit things while the iron is hot. For 25 years I served in the Legislature and in public, and I bring relationships and a lot of knowledge to the table. A cooling-off period hinders an individual. Momentum you have is lost because then you're not involved in the field." (see attachment D)

Mr. Arberry engaged in this unethical conduct from on or about June 21, 2010 when he filed to establish Titan up through and until his sudden resignation from office on August 31, 2010, the day before news media reported the Court lobbying contract on the Clark County Commission agenda. One can reasonably infer his resignation was due to inquiries from the media regarding the ethics of engaging in a lobbying contract while still serving in the Legislature.

In addition to his questionable judgment and ethics, Mr. Arberry has equal conflicts in representing the Court system. A simple search of the Eighth Judicial District Court's on-line case information database reveals Mr. Arberry as a frequent flyer in the Eighth Judicial District Court. Mr. Arberry is a party in more than 270 active cases since 2003, including 13 active cases – two of which he is a tenant in action (there are media reports that Mr. Arberry is attempting to stall foreclosure proceedings where he has failed to pay his mortgage). (see attachments E and F)

The conduct of Mr. Arberry is the antithesis of ethics in government – he has not treated his public office as representative of the public trust and used it for the sole benefit of the people. In one fell swoop he has shown his intent to use 25 years of public service as a cash cow. Unfortunately for him, he did it before he resigned from office. Though the Clark County Commission disapproved the contract on a 5-2 vote against on September 7, 2010, it does not absolve Mr. Arberry from violating ethics laws with his unethical conduct of seeking the contract while serving in the Legislature.

Additional witnesses:

Chief Judge Art Ritchie, Eighth Judicial District Court, Clark County. Nature of testimony: knowledge of when negotiations were entered into with Mr. Arberry and how the contract was negotiated.

Additional attachments: media articles relating to Mr. Arberry's resignation and the Titan contract (much more available by internet search) and RalstonFlash updates showing the concern of Court Judge Susan Johnson outlining her concern over Mr. Arberry's obviously unethical conduct. (See attachment G)

EXHIBIT "A"

EXHIBIT "A"

MORSE ARBERRY JR.
ASSEMBLYMAN
District No. 7



DISTRICT OFFICE:
2551 South Fort Apache Road, Suite 101
Las Vegas, Nevada 89117-8700
Office: (702) 562-2323
Fax No.: (702) 562-1805
E-mail: marberry@asm.state.nv.us

COMMITTEES:
Chairman
Ways and Means

Member
Commerce and Labor
Taxation

LEGISLATIVE BUILDING:
401 South Carson Street
Carson City, Nevada 89701-4747
Office: (775) 684-8587
Fax No.: (775) 684-6533
www.leg.state.nv.us

State of Nevada Assembly

Seventy-Fifth Session

August 31, 2010

2010 AUG 31 10:00 AM

AUG 31 2010

10:00 AM

The Honorable Jim Gibbons
Office of the Governor
101 North Carson Street
Carson City, Nevada 89701

Dear Governor Gibbons:

In accordance with NRS 218A.250, I am hereby notifying you of my resignation, effective August 31, 2010, from the office of State Assemblyman representing Clark County Assembly District No. 7.

It has been an honor and a privilege to serve as a State Assemblyman for more than 25 years.

Sincerely,

A handwritten signature in black ink, appearing to read "Morse Arberry Jr.", written over a white background.

Morse Arberry Jr.

cc: Honorable Ross Miller, Secretary of State
Lorne J. Malkiewich, Director of the Legislative Counsel Bureau

EXHIBIT "B"

EXHIBIT "B"

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TITAN PARTNERS, LLC

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Printer Friendly

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Business Entity Information			
Status:	Active	File Date:	6/21/2010
Type:	Domestic Limited-Liability Company	Entity Number:	E0297962010-7
Qualifying State:	NV	List of Officers Due:	6/30/2011
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20101465633	Business License Exp:	6/30/2011

Registered Agent Information			
Name:	PHUNG H. JEFFERSON, ESQ.	Address 1:	6847A W. CHARLESTON BLVD
Address 2:		City:	LAS VEGAS
State:	NV	Zip Code:	89117
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		

[View all business entities under this registered agent](#)

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 0

No stock records found for this company

Officers			
			<input type="checkbox"/> Include Inactive Officers
Manager - MORSE ARBERRY			
Address 1:	1330 VIRGINIA CITY AVENUE	Address 2:	
City:	LAS VEGAS	State:	NV
Zip Code:	89106	Country:	USA
Status:	Active	Email:	

Actions\Amendments	
Click here to view 2 actions\amendments associated with this company	

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EXHIBIT "C"

EXHIBIT "C"

AGENDA

**JOINT MEETING OF THE
CLARK COUNTY BOARD OF COMMISSIONERS
CLARK COUNTY WATER RECLAMATION DISTRICT BOARD OF TRUSTEES AND THE
UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES
9:15 AM TUESDAY, SEPTEMBER 07, 2010
CLARK COUNTY COMMISSION CHAMBERS, GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY, LAS VEGAS, NEVADA**

This meeting has been properly noticed and posted in the following locations:		Agenda Also Available At:	
CC Government Center 500 S. Grand Central Pkwy. Las Vegas, NV (Principal Office)	Regional Justice Center 200 Lewis Ave, 1 st Fl. Las Vegas, NV	City of Las Vegas 400 E. Stewart Ave. Las Vegas, NV	City of North Las Vegas 2200 Civic Center Dr. No. Las Vegas, NV
Third Street Building 309 S. Third St. Las Vegas, NV	Paradise Park Pool & Center 4775 McLeod Dr. Las Vegas, NV	City of Henderson 200 Water St. Henderson, NV	City of Boulder City 400 California Ave. Boulder City, NV
Winchester Park & Center 3130 S. McLeod Dr Las Vegas, NV	Desert Breeze Park & Community Ctr 8275 Spring Mtn. Rd Las Vegas, NV	City of Mesquite 10 E. Mesquite Blvd. Mesquite, NV	Clark County Reg. Govt. Center 101 Civic Way Laughlin, NV

Tune in to the County's news magazine "Chronicles" Tuesday, September 07, 2010, at 6:30 p.m.
 The main agenda is available on Clark County's Internet Web Site, <http://www.accessclarkcounty.com>.
 This meeting will be broadcast live on Clark County Television, Channel 4 (CCTV 4) and over the Internet, <http://www.accessclarkcounty.com>. It will be replayed over CCTV 4 on Tuesday, September 7, 2010, at 8:00 p.m.
 For more programming information, call the Public Communications Office at 455-6888.

SEC. 1. OPENING CEREMONIES

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

- 1** Approval of Minutes of the Regular Meeting on June 15, 2010. *(Available in the County Clerk 's Office, Commission Division)*
- 2** Approval of Agenda with the Inclusion of Any Emergency Items and Deletion of Any Items.

SEC. 2. CONSENT AGENDA: Items No. 3 through No. 83

NOTE: All items listed on this agenda are for action by the Board/Trustees unless otherwise noted. Action may consist any of the following: approve, deny, condition, hold, or table.

Consent Agenda - All matters in this sub-category are considered by the Board of County Commissioners and Board Trustees to be routine and may be acted upon in one motion. Most agenda items are phrased for a positive action. However, the Board/Trustees may take other actions such as hold, table, amend, etc.

COMMENTS BY THE GENERAL PUBLIC

According to Nevada's Open Meeting Law, it is the Board's/Trustees' discretion to take Public Comment during times other than during a Public Hearing or during the Public Comment Session. In all other instances, a citizen may speak on any matter before the Board/Trustees for consideration, after receiving recognition and consent of the Chairman of the Board. Public Comment will be limited to three minutes. If any member of the Board/Trustees wishes to extend the length of presentation, this will be done by the Chairman, or the Board/Trustees by majority vote.

If you wish to speak on a matter not listed as a public hearing or on a matter not posted on the agenda, you may do so during the Public Comment Session. Please step up to the speaker's podium, clearly state your name and address -- please spell your name for the record -- and limit your comments to no more than three minutes. No vote may be taken on any matter not listed on the posted agenda.

Consent Agenda items are routine and can be taken in one motion unless a Commissioner/Trustee member requests that an item be taken separately. For all items left on the Consent Agenda, the action taken will be staff's recommendation indicated on the item.

Items taken separately from the Consent Agenda by Commissioner/Trustees members at the meeting will be heard following the Commissioners'/County Manager's Recognition Section.

Purchasing & Contracts

- 3 Approve Change Order No. 2 to the contract with Accurate Controls, Inc., for RFP No. 601549-09, Upgraded Video Visitation System for the Clark County Detention Center; or take other action as appropriate.
- 4 Ratify Amendment No. 1 to the contract with Securus Technologies, Inc., dba Evercom Systems, Inc to provide inmate telephone services for the Clark County Detention Center; and authorize the Chief Financial Officer or his designee to sign the amendment; or take other action as appropriate.
- 5 Approve Amendment No. 1 to the contract with Knight & Leavitt Associates, for Desert Conservation Program Desert Tortoise Hotline and Pickup Service; and authorize the Chief Financial Officer or his designee to sign the amendment; or take other action as appropriate.
- 6 Approve Amendment No. 2 to the interlocal contract with Board of Regents, Nevada System of Higher Education on behalf of the University of Nevada, Las Vegas, for Bio Watch Program: Sample Analysis; and authorize the Chairman to sign the amendment; or take other action as appropriate.
- 7 Approve Amendment No. 3 to the contract with KGA Architecture, for Architecture and Construction Management Services for the Metrocomm Expansion; and authorize the Chief Financial Officer or his designee to sign the amendment; or take other action as appropriate.
- 8 Approve the award of Bid No. 601915-10, Countywide Fire Station Security Improvements, to the low responsive and responsible bidder, contingent upon submission of the required bonds and insurance. Staff recommends award to Cobblestone Construction.

Town Services (Minutes to be noted, available in the County Clerk's Office, Commission

Division)**9** Note for the record the following Town Advisory Board (TAB) and Citizens Advisory Council (CAC) Minutes:

Laughlin Town Advisory Board - July 13, 2010;
 Paradise Town Advisory Board - July 13, 2010;
 Sandy Valley Citizens Advisory Council - July 13, 2010;
 Moapa Valley Town Advisory Board - July 14, 2010;
 Mountain Springs Citizens Advisory Council - July 14, 2010;
 Indian Springs Town Advisory Board - July 15, 2010;
 Paradise Town Advisory Board - July 27, 2010;
 Spring Valley Town Advisory Board - July 27, 2010;
 Enterprise Town Advisory Board - July 28, 2010;
 Red Rock Citizens Advisory Council - July 28, 2010; and
 Whitney Town Advisory Board - July 29, 2010.

Business License**10** Refer the appeal of the licensing decision to a Hearing Officer on Live N Love LLC dba Love N Car Group Home, Rosemarie B. Ladner (50%) and Judith C. Langen (50%), located at 4850 Arizona Avenue, Las Vegas, Nevada 89104. (Lamont/Arizona) Commission District: E (Giunchigliani)**11** Ratify the Director's approval for a Facility for Special Events Waiver for Mirage Resorts, Incorporated dba The Mirage Hotel and Casino, in conjunction with Nannies & House Keepers USA Mery T. Agency, LLC (owner 100%), located at the Mirage Hotel and Casino, 3400 South Las Vegas Blvd, Las Vegas, Nevada 89109. (Spring Mountain/Las Vegas Blvd) Commission District: E (Giunchigliani)**12** Refer the Work Identification Card appeals filed by Tiffany Garcia, Christopher Lindquist and Anthony Hylton with the Clark County Business License Department to a Hearing Officer in response to the denial, suspension, or revocation of a Work Identification Card by the Las Vegas Metropolitan Police Department. Commission District: All**13** Approve and authorize the Chairman to sign a Telecommunications Utility System Franchise Agreement between Clark County and American Fiber Systems, Inc. to construct, operate and maintain a telecommunications utility system to provide subscription service in the unincorporated areas of Clark County, Nevada for a term of ten years, until August 17, 2020, with one five-year renewal option; and providing for other matters properly related thereto.**14** Approve and authorize the Chairman to sign the Fourth Franchise Extension Agreement between Clark County and Central Telephone Company d/b/a CenturyLink extending the current franchise agreement for a period not to exceed six months, or until a new franchise agreement is approved by the Board, whichever is sooner.**Social Service****15** Approve and authorize the Chairman to sign the Interlocal Educational Affiliation Agreement between Clark County and the Board of Regents of the University of Nevada System on behalf of the University of Nevada, Las Vegas (UNLV), for the Department of Social Service to provide facilities and qualified instructors to UNLV students of social work for on the job field training as part of their academic requirements, effective through June 30, 2011.

Aviation

- 16 Approve and authorize the advertising of the intent to enter into a General Aviation Operating Permi between Clark County and L. Scott Brooksby (L. Scott Brooksby, Owner/Instructor) to provide flight training at North Las Vegas Airport.
- 17 Approve and authorize the advertising of the intent to enter into a General Aviation Operating Permi between Clark County and South Western Sealcoating, Inc. (John Church, Vice President) for the purpose of staging a company-owned aircraft and a brine solution tank at Jean Airport.
- 18 Approve and authorize the Director of Aviation to sign the contract (CBE-634) between Clark Count and Control Touch Systems, Inc. (Richard S. Dahl, V.P. Engineering) to provide an upgrade to the RFID baggage handling system at McCarran International Airport; or take other action as appropriat
- 19 Approve and authorize the Director of Aviation to negotiate a contract (CBE-638) between Clark County and ISS Facility Services Inc. (Amber K. Claunch, Business Development Director) to provide custodial services at McCarran International Airport Child Development Center (Bright Horizons) in accordance with Nevada Revised Statutes 496.090; or take other action as appropriate.
- 20 Approve and authorize the Director of Aviation to negotiate a professional services contract between Clark County and Post, Buckley, Schuh & Jernigan, Inc. dba PBS&J (Charles Kircher, Vice President) for design services associated with the D-Gate Apron Pavement Rehabilitation Project at McCarran International Airport.
- 21 Approve and authorize the County Manager, or her designee, to sign a Grant of Easement in favor of Nevada Power Company, a Nevada corporation, dba NV Energy for utility purposes on County (Airport) owned property on APN's: 162-26-810-286, 162-26-407-014, 162-35-513-016, 162-35-101020, 162-34-502-001, 162-34-502-004, 162-34-502-005, 162-27-802-003, 162-27-402-001, 162-27-402-002, 162-27-402-003, 162-27-402-004, 162-27-304-001, 162-27-310-001, 162-27-401-001, 162-27-499-005 and 162-27-899-005, located north of Sunset Road, south of Hacienda Avenue, east of Paradise Road, and west of Surrey Street.
- 22 Approve and authorize the Director of Aviation to issue a purchase order to ITW Commercial GSE, Division of GSE Holdings Inc., an ITW Company, dba Trilectron Industries (William C. Bamford, Vice President), for the purchase of Aircraft Pre-Conditioned Air/HVAC units to be used at Termina 3 at McCarran International Airport; or take other action as appropriate.
- 23 Approve and authorize the Director of Aviation to sign, with individual carriers, the new Airline - Airport Use and Lease Agreement at McCarran International Airport, both immediately and from tin to time as necessary through the term of the Agreement, in accordance with Nevada Revised Statute 496.090.

Public Works

- 24 Approve the acquisition of right-of-way from the Bureau of Land Management for portions of Oleta Avenue and El Camino Road (Assessor's Parcel No. 176-23-601-017), generally situated north of Serene Avenue between Torrey Pines Drive and the Union Pacific Railroad; and authorize the Director of Public Works or his designee to sign all necessary and appropriate documents to complet the transaction.
- 25 Approve and authorize the County Manager or her designee to sign permanent grants of easement to replace an existing easement allowing Southwest Gas Corporation to relocate an underground gas lin in connection with the construction of the Sunset Road Bridge over and across Interstate 15 as part o the Sunset Road between Valley View Boulevard and Las Vegas Boulevard project.

- 26 Approve the negotiated settlement of \$15,000 for the partial acquisition of Assessor's Parcel Nos. 07 12-801-004 and 070-12-801-006 (Gamboa), needed as rights-of-way for the construction of the Muddy River Flood Control Improvement project; and authorize the County Manager or her designee to sign escrow instructions and any related documents necessary to complete the acquisition process.
- 27 Accept the dedication of right-of-way and drainage easement upon Assessor's Parcel No. 161-08-202 001 (H & C Family Limited Partnership and Merrilu Kutcher, Trustee of the Luther and Merrilu Kutcher Trust), generally situated in the vicinity of Marion Street and Karen Avenue, offered in conjunction with the Marion Street between Vegas Valley Drive and Karen Avenue roadway improvement project.
- 28 Accept the dedication of right-of-way upon Assessor's Parcel No. 163-24-710-000 (Evergreen Condominiums Homeowners' Association), generally situated north of Tropicana Avenue between Decatur Boulevard and Fordham Road, offered in conjunction with construction of the Tropicana/Decatur Park improvement project.
- 29 Authorize the County Manager or her designee to sign a dedication of a portion of County-owned property for roadway and drainage purposes upon Assessor's Parcel No. 177-05-303-001, generally located at the intersection of Polaris Avenue and Maule Avenue.
- 30 Approve and authorize the County Manager or her designee to sign Supplemental No. 1 to the professional engineering and landscape architecture services contract between Clark County and The WLB Group, Inc. (Brian Patterson, R.L.A., Director of Operations) for additional engineering and landscape architecture services for Sunset Regional Park Improvements - Phase 2.
- 31 Approve and authorize the County Manager or her designee to sign Supplemental No. 3 to the professional engineering services contract between Clark County and G. C. Wallace, Inc. (Tim McCoy, P.E. Executive Vice President) for a time extension of the design contract for Casino Drive, from 300 feet south of Harrah's Laughlin driveway to State Route 163 project.
- 32 Approve and authorize the County Manager or her designee to sign a professional services contract between Clark County and Angle Engineering (Sean Asgarian, President) for laboratory and field testing services for various Clark County Public Works Department projects.
- 33 Approve and authorize the Chairman to sign Supplemental No. 1 to the interlocal contract between Clark County and the Regional Flood Control District to change the project scope and extend the term of the contract for Blue Diamond Wash S Rainbow from Pebble Road to Raven Avenue, and from Wigwam Avenue to Ford Avenue.
- 34 Approve and authorize the Chairman to sign an interlocal contract between Clark County and the Regional Flood Control District for the Upper Duck Creek Detention Basin.
- 35 Approve and authorize the Chairman to sign Supplemental No. 4 to Interlocal Contract No. 394d among Clark County, the Regional Transportation Commission of Southern Nevada, and the City of Henderson, to decrease total funding for Serene Avenue between Eastern Avenue and Pecos Road.
- 36 Approve and authorize the Chairman to sign Interlocal Contract No. 656 between Clark County and the Regional Transportation Commission of Southern Nevada for construction of Mount Charleston Roads X.

- 37 Approve and authorize the Chairman to sign Interlocal Contract No. 658 between Clark County and the Regional Transportation Commission of Southern Nevada for right-of-way, engineering, and construction of Bunkerville Roads.
- 38 Approve and authorize the Chairman to sign Interlocal Contract No. 659 between Clark County and the Regional Transportation Commission of Southern Nevada for construction of Searchlight Roads.
- 39 Approve and authorize the Chairman to sign Interlocal Contract No. 660 between Clark County and the Regional Transportation Commission of Southern Nevada for construction of Laughlin Roads II.
- 40 Approve and authorize the Chairman to sign a recertification form from Clark County to the Federal Emergency Management Agency to extend Clark County's participation in the Community Rating System.

Real Property Management

- 41 Approve and authorize the Director of Real Property Management or her designee to sign an agreement for the termination of the Lease between Clark County (County) and EJM Arroyo North I Property LLC (Jerry Monkarsh, General Partner) due to the failure to complete improvements on ±5.26 acres of County-owned real property located within the Cooperative Management Area (CMA). The property is known as Assessor's Parcel Number 176-03-501-016 and is generally located north of the I-215 Beltway and east of Tenaya Way.
- 42 Approve and authorize an interlocal agreement for the Coyote Springs public safety communications site for a joint use of radio and microwave telecommunications facilities and related improvements between Clark County and Lincoln County, on a portion of property owned by the Bureau of Land Management; and authorize the Chairman to sign the interlocal agreement.
- 43 Approve and authorize the Director of Real Property Management or her designee to sign the Intrastate Interlocal Contract with the State of Nevada, Department of Health and Human Services, Division of Child and Family Services, to lease ±11,197 square feet of office space, located at 6171 W. Charleston Boulevard, Buildings 7, 9 and 15, Las Vegas, Nevada, for use by the Clark County Departments of Family Services and Juvenile Justice Services.
- 44 Approve and authorize a Site User License Agreement with the Primadonna Company, LLC (Michael Starr, Executive Vice President - General Manager) for installation of Clark County microwave communications equipment at Whiskey Pete's Hotel & Casino, located at 100 West Primm Boulevard, Steline, Nevada; and authorize the Director of Real Property Management or her designee to sign the license agreement.
- 45 Approve and authorize the Director of Real Property Management or her designee to sign the Lease Agreement between Quail Park IV, LLC and Clark County, to lease ±2,820 square feet of office space, located at 2820 W. Charleston Boulevard, Suite 15, Las Vegas, Nevada, for use by the County Department of Social Service.

Budget & Finance

- 46 In accordance with NRS 244.210 and 354.220 through 354.250, approve, adopt, and authorize the Chairman to sign a resolution to authorize refunds as shown on Exhibit "A."
- 47 Approve, adopt, and authorize the Chairman to sign an amendment to the June 16, 2009 resolution to provide HOME Investment Partnerships Program ("HOME") and Low Income Housing Trust Fund ("LIHTF") monies to Color Country Community Housing, to assist with the development of Sunrise Meadows, Phase II, an affordable single family new construction development in Mesquite, Nevada.

- 48 Approve the reallocation of \$309,988 of Special Ad Valorem Capital Projects Fund (4160) appropriations to the Moapa Soccer Fields.
- 49 Approve and authorize the Chairman to sign an interlocal contract to provide \$258,771 in Fiscal Year 2010/2011 Community Development Block Grant (CDBG) Capital and Public Service funds to the City of Boulder City for its program services and activities.

Clark County Water Reclamation District (*Board of County Commissioners sitting as the CCWRD Board of Trustees*)

- 50 Approve and authorize the General Manager to procure water treatment chemicals for its treatment facilities by joining and utilizing the existing National Intergovernmental Purchasing Alliance National Master Agreement awarded to Thatcher of Nevada for the period from October 1, 2010 through June 30, 2011; and authorize the option to renew for two (2) one-year periods, District Bid No. 872-10.
- 51 Receive the report regarding 10 change orders that were signed by the General Manager for work modifications during construction for a total value of \$885,579, CCWRD Project No. 572A.
- 52 Receive the report regarding 7 change orders that were signed by the General Manager for work modifications during construction for a total savings of (\$517,057), CCWRD Project No. 634.
- 53 Receive the report regarding 7 change orders that were signed by the General Manager for work modifications during construction for a total savings of (\$463,102.00), CCWRD Project No. 632.
- 54 Approve and authorize the General Manager to issue purchase orders to G & K Services, Inc., as the lowest responsive and responsible bidder, for an Annual Requirements Contract for Uniform Rental Services from date of award through January 11, 2014 with an option to renew for one (1) three-year period, CCWRD Bid No. 857-10.
- 55 Approve and authorize the General Manager to sign an agreement with DC Frost Associates, Inc., the exclusive manufacturer's representative, for the purchase of Trojan ultraviolet lamps, specialized parts and products, equipment, and technical support for the Trojan Ultraviolet (UV) Light Disinfection System for the period from date of award through June 30, 2011 with the option to renew for two (2) one-year periods, District CBE No. 855-10.
- 56 Receive the report regarding 6 change orders that were signed by the General Manager for work modifications during construction for a total savings of (\$681,693.00), CCWRD Project No. 620.
- 57 Approve and authorize the General Manager to negotiate an agreement with Brown and Caldwell (B & C) to provide engineering services for the Central Plant ERW Pump Station and 66-inch AWT Force Main (FM) Rehabilitation Project, CCWRD Project No. 653 (RFP No. 862-10).
- 58 Approve and authorize the General Manager to negotiate an agreement with Brown & Caldwell (B&C) to provide design, bid, and engineering services during construction for the Maryland Parkway Lift Station Decommissioning, CCWRD Project No. 647 (RFP No. 859-10).

University Medical Center of Southern Nevada (*Board of County Commissioners sitting as the UMC Hospital Board of Trustees*)

- 59 Approve the report, and accept the donations and other restricted funds received by University Medical Center of Southern Nevada from April 1, 2010 through June 30, 2010.

- 60 Approve University Medical Center of Southern Nevada's 2010 Patient Safety Program Management Plan; and authorize the Chairman of Board of Hospital Trustees to sign the Management Plan.
- 61 Approve Amendment One to RFP No. 2010-01, Recovery Audit Services, with Business Strategy, Inc.; and authorize the Chief Executive Officer to sign the amendment.
- 62 Approve Amendment 10 to Hospital Services Agreement between University Medical Center of Southern Nevada and Health Plan of Nevada, Inc., Sierra Health and Life Insurance Company, Inc., Sierra Healthcare Options, Inc., and Prime Health, Inc.; and authorize the Chief Executive Officer to sign the amendment.
- 63 Approve Amendment No. 12 to Transcription Services Agreement between MedQuist Transcription, Ltd. and University Medical Center of Southern Nevada; and authorize the Chief Executive Officer to sign the amendment.
- 64 Approve the Master Purchase Agreement for implantable hearing device systems between Cochlear Americas, Ltd. and University Medical Center of Southern Nevada; and authorize the Chief Executive Officer to sign the agreement.
- 65 Ratify the Memorandum of Understanding and accept the donation of Powered Air Purifying Respirators from the Nevada Hospital Association to support Medical Surge capabilities and H1N1 response efforts signed by the Chief Executive Officer.
- 66 Approve the purchase of MP50 and MP30 IntelleVue Monitors from Philips Medical Systems N.A.
- 67 That the Board of County Commissioners and the University Medical Center of Southern Nevada (UMC) Board of Hospital Trustees ratify the interlocal agreement between UMC, the Clark County Unified Paramedic Program, Sunrise Hospital and Medical Center, LLC d/b/a Sunrise Hospital and Medical Center, Sunrise MountainView Hospital, Inc. d/b/a MountainView Hospital, and Southern Hills Medical Center, LLC d/b/a Southern Hills Hospital and Medical Center for Paramedic Training signed by the Chief Executive Officer, Fire Chief, and Hospital Administrators.
- 68 Approve the Settlement Agreement and Release granting University Medical Center of Southern Nevada to receive a settlement amount for underpayment of claims from Humana, Inc.; and authorize the Chief Executive Officer to sign the agreement.

General Administration

- 69 Approve and authorize the Chairman to sign the correction of the 2007-2008 through 2010-2011 Secured and the 2007-2008 through 2010-2011 Unsecured Assessment Rolls AR-0907-10-17 and order the corrections to be made.
- 70 Pursuant to the Merit Personnel System, extend the same salary and benefit changes that was approved by the Board on August 17, 2010 for the Clark County Park Police Association (CCPPA), Nevada Association of Public Safety Officers, CPSO/Communication Workers of America, Local 9111, to the Park Police III Classification, which is not covered by other collective bargaining agreements.
- 71 On behalf of the Clark County Local Emergency Planning Committee (LEPC), approve and authorize the Chairman to sign the FY 10 Emergency Preparedness Working Group (EPWG) grant award and assurances to the State of Nevada, Division of Emergency Management in the amount of \$30,144.25 and authorize the LEPC Chair to accept funds awarded.

- 72 Approve, adopt, and authorize the Chairman to sign a resolution changing the hours of operation for the Henderson and Laughlin branch offices of the County Clerk to correspond to an eight hour shift.
- 73 Direct the County Treasurer to apportion, combine, or reapportion the unpaid balances of special assessments for Special Improvement District Number 97A (Las Vegas Boulevard Beautification) or original Assessor's Parcel Numbers; and approve the apportionment, combination, or reapportionment to current Assessor's Parcel Numbers as follows: 162-21-201-004 thru 005 to 162-21-201-007; as applicable, and that the Board find that the combining or reapportioning of assessments will not materially or adversely impair the obligation of the County with respect to any outstanding bond secured by assessments; or increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that estimated to result from the project which is financed by the assessment.
- 74 Approve and authorize the Chairman to sign the agreement between the Southern Nevada Area Communications Council (SNACC) and Clark County for administrative support.
- 75 Approve and authorize the chairman to sign the amendment to Resolution 4-1-03-1; and approve the Clark County Fire Department Notice of Privacy Practices.
- 76 Accept the report of donations received by the Clark County Department of Family Services from April 1, 2010 thru June 30, 2010.
- 77 Ratify the grant application submitted by the Clark County Department of Family Services to the Lu Community Development Coalition-State Prevention Infrastructure Grant in the amount of \$75,000 for the purpose of providing community-based parent education programs effective August 1, 2010 through June 30, 2011; and accept any funds awarded.
- 78 Ratify the grant application submitted by the Clark County Department of Family Services to the Lu Community Development Coalition-Substance Abuse Prevention Block Grant and Safe and Drug Free School Funds in the amount of \$75,000 for the purpose of providing community-based parent education programs effective August 1, 2010 through June 30, 2011; and accept any funds awarded.
- 79 Approve and authorize the Chairman to sign an agreement between Clark County and the American Red Cross for their participation in the State Emergency Response Commission (SERC) Planning, Training, Equipment and Operations Grant Program Federal Fiscal Year 2011.
- 80 That the Board of County Commissioners ratify the submission of a revised application for the FY 2010 Federal Emergency Management Agency (FEMA) to provide supplemental funding for development readiness of Nevada Task Force 1 (NVTF-1) in the amount of \$3,600; and accept the funds awarded.
- 81 Approve and authorize the Chairman to sign the service agreement between Clark County and the City of Henderson, City of Las Vegas, City of North Las Vegas, City of Boulder City, City of Mesquite and Air Methods Corporation dba Mercy Air Services, Inc., to provide air medical helicopter services to transport critically injured persons to medical facilities.
- 82 Approve and authorize the Chairman to sign the service agreement between Clark County and the City of Henderson, City of Las Vegas, City of North Las Vegas, City of Boulder City, City of Mesquite and TriState CareFlight, LLC to provide air medical helicopter services to transport critically injured persons to medical facilities.
- 83 Approve Amendment One to the Memorandum of Understanding between Clark County and Nevada System of Higher Education relating to the engagement of consultants to assist in the transitioning of University Medical Center of Southern Nevada; and authorize the Chairman of the Board of County

Commissioners to sign the amendment.

END CONSENT AGENDA

SEC. 3. COMMISSIONERS' / COUNTY MANAGER'S RECOGNITION

- 84 Present a proclamation to Clark County Fire Chief Steven M. Smith recognizing him for all of his accomplishments during his years of service with the Clark County Fire Department, and wish him well in his future retirement.

SEC. 4. ITEMS TAKEN SEPARATELY FROM CONSENT AGENDA

SEC. 5. PUBLIC HEARINGS - 10 AM

- 85 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 22, Chapter 22.04 by deleting Chapter 22.04 in its entirety, adopting a new Chapter 22.04 entitled the Building Code of Clark County; adopting by reference the 2009 International Building Code and the Southern Nevada Amendments to the 2009 International Building Code; providing penalties for violations thereof; and other matters properly relating thereto.
- 86 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to delete Title 22, Chapter 22.05; adopt a new Title 22, Chapter 22.05 entitled the Residential Code of Clark County; adopt the International Residential Code, 2009 and the Southern Nevada Amendment to the 2009 International Residential Code as the Residential Code of Clark County; providing penalties for violations thereof; and providing for other matters relating thereto.
- 87 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 25, Chapter 25.08 by deleting Chapter 25.08 in its entirety, adopting a new Chapter 25.08 entitled Plumbing Code of Clark County; adopting by reference the Uniform Plumbing Code 2009 Edition and the Southern Nevada Amendments to the 2009 Uniform Plumbing Code; providing for penalties for violations thereof; and providing for other matters properly relating thereto.
- 88 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 25, Chapter 25.16 by deleting Chapter 25.16 in its entirety, adopting a new Chapter 25.16 entitled the Mechanical Code of Clark County; adopting by reference the 2009 Uniform Mechanical Code and the Southern Nevada Amendments to the 2009 Mechanical Code; providing penalties for violations thereof; and providing for other matters properly related thereto.
- 89 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 25, Chapter 25.04 by deleting Chapter 25.04 in its entirety, adopting a new Chapter 25.04 of the Clark County Code entitled The Electrical Code of Clark County; adopting by reference the 2008 National electrical Code and the Southern Nevada Amendments to the 2008 National Electrical Code; providing for penalties for violations thereof; and providing for other matters properly relating thereto.
- 90 Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 25, by deleting Chapter 25.20 (Energy Conservation Code of Clark County) in its entirety; adopting a new Chapter 25.20 entitled the Energy Conservation Code of Clark County;

adopting by reference the International Energy Conservation Code, 2009 as published by the International Code Council, Inc. (ICC) and the 2009 Southern Nevada International Energy Conservation Code Amendments; providing penalties for violations; and providing for other matters properly relating thereto.

- 91** Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 22, Chapter 22.20 by deleting Chapter 22.20 in its entirety; adopting a new Chapter 22.2 entitled the Swimming Pool, Spa, and Water Features Code of Clark County; adopting by reference the 2009 Southern Nevada Pool Code; providing penalties for violations thereof; and other matters properly relating thereto.
- 92** Conduct a public hearing; and approve, adopt, and authorize the Chairman to sign an ordinance to amend Title 22, Chapter 22.02 by adding a definition for "Grading;" requiring a "Grading, Construction or Installation Permit" to perform grading; exempting grading for agriculture cultivation providing penalties for violations thereof; amending contractor and Master, Qualified Individual, and Journeyman responsibilities; and other matters properly related thereto.
- 93** Conduct a public hearing to receive comments or objections from the public concerning the granting of a telecommunications franchise to Central Telephone Company d/b/a CenturyLink to provide telecommunication services in the unincorporated areas of Clark County; and providing for other matters properly related thereto.

END PUBLIC HEARINGS

SEC. 6. INTRODUCTION OF ORDINANCES

This item is for introduction only. A date and time will be set for a public hearing. No public comment will be heard at this time.

- 94** Introduce an ordinance to repeal Title 6, Chapter 6.16 (Child Care Facilities) of the Clark County Code; to amend Title 2, Chapter 2.03 of the Clark County Code to remove provisions pertaining to child care licensing; and to repeal the Clark County child care regulations; to reflect that the Nevada Department of Health and Human Services took over jurisdictional responsibility for child care licensing in unincorporated Clark County as of the close of business September 2, 2010; providing for other matters properly relating thereto; and set a public hearing.

SEC. 7. BUSINESS ITEMS

- 95** Reject the apparent low bid by Harber Company, Inc. (HCI); and award the construction of the Laughlin Water Reclamation Facility Aeration Piping Replacement and Bleach Building Relocation to the next lowest responsive and responsible bidder, Sletten Construction of Nevada, Inc. (SC), contingent upon submission of the required bonds and insurance; authorize the General Manager to sign the contract documents; or take other action as appropriate, District Project Nos. 630 and 641.
- 96** Sitting as the University Medical Center of Southern Nevada Board of Hospital Trustees, accept and approve the report concerning University Medical Center of Southern Nevada's Fourth Quarter Fiscal Year 2010 Financial Statements ending June 30, 2010.

- 97** Approve and authorize the expenditure necessary for the Chief Judges of the Eighth Judicial District Court and Las Vegas Justice Court or their designees to enter into an agreement for lobbying and consulting services with Titan Partners, funding not to exceed \$10,000 per month from September 1, 2010 through June 30, 2011, and further, not to exceed \$2,000 per month from July 1, 2011 through June 30, 2012; and approve and authorize the Chairman to sign the Advocacy and Consultant Agreement between Eighth Judicial District Court, Las Vegas Justice Court, and Titan Partners. However, if a special session occurs between July 1, 2011 through June 30, 2012, in addition to the monthly installment, the Court shall pay Titan \$400 per day.
- 98** Discuss a possible Amendment to Title 12 of the Clark County Code Regarding Graffiti, Section 12.42.055 Spray Paint and Markers - Possession by a Minor; and take any action deemed appropriate
- 99** Review the suspension of the Drugless Practitioner Business License issued to Touched by Las Vegas Inc dba Club Exclusive, James HN Buford (Owner 100%), located at 4620 Arville Street, Suite H, L Vegas, Nevada. (Arville/Tompkins) Commission District: F (Brager)
- 100** Review the suspension and non-renewal of the Drugless Practitioner, Book Sales, Admission Fees Non-resort and Incidental Sales/Service Limited Business Licenses issued to Touched by Las Vegas Inc dba Club Exclusive II, James HN Buford (Owner 100%), located at 3595 Polaris Avenue, Las Vegas, Nevada (Industrial/Desert Inn) Commission District: F (Brager)
- 101** Review the suspension of the Drugless Practitioner Business License issued to Sao Feng Inc dba Entyce, Bonnie Lewis Hall (Owner 50%) and June T Davis (Owner 50%), located at 3915 West Twain Avenue, Las Vegas, Nevada. (Twain/Valley View) Commission District: F (Brager)
- 102** Review the suspension of the Drugless Practitioner Business License issued to Sensations LLC, Mailene E. Hall (Owner 100%), located at 3233 Industrial Road, Las Vegas, Nevada (Industrial/Desert Inn) Commission District: E (Giunchigliani)
- 103** Approve the changes in the Schedule of Fees and Charges for use and services at the Clark County Shooting Park facility beginning September 7, 2010.
- 104** Receive a report on parks master planning; and direct staff accordingly.
- 105** Consider a resolution approving and adopting the Clark County Commission's Ethics in Government Policy and, if the resolution is approved and adopted, authorize the Chairman to sign the resolution; take any other action deemed appropriate.
- 106** Approve and direct Public Communications Office to broadcast live on Channel 4 the Coroner's Inquest scheduled for September 22, 2010, in lieu of the regularly scheduled Zoning meeting.
- 107** Discuss whether to amend Chapter 2.39 of the Clark County Code to change the definition of lobbyist for purposes of lobbyist registration provisions; and direct staff accordingly.
- 108** Receive a report from staff regarding the status of the Clean Water Coalition.
- 109** Go into closed session, pursuant to NRS 241.015(2)(b)(2), to receive information from the District Attorney regarding potential or existing litigation involving matters over which the Board has supervision, control, jurisdiction or advisory power, and to deliberate toward a decision on the matter and pursuant to NRS Chapter 288.220, to receive a report on the status of labor negotiations.

Comments By the General Public

A period devoted to comments by the general public about matters relevant to the Board's/Trustees'

jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Trustees wishes to extend the length of a presentation, this will be done by the Chairman, or the Board/Trustees by majority vote.

All comments by speakers should be relevant to Board/Trustees action and jurisdiction.

ZONING AND SUBDIVISIONS

Wednesday, September 8, 2010, 9:00 AM Separate Agenda

THE REGULAR JOINT MEETINGS OF THE CLARK COUNTY BOARD OF COMMISSIONERS, THE CLARK COUNTY WATER RECLAMATION BOARD OF TRUSTEES, THE UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA BOARD OF TRUSTEES AND THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD HELD ON THE FIRST AND THIRD TUESDAYS OF EACH MONTH, ARE VIDEO-TAPED BY THE CLARK COUNTY TELEVISION, CHANNEL 4 (CCTV 4). THIS MEETING WILL BE BROADCAST LIVE ON THE CCTV 4 AND OVER THE INTERNET AT www.accessclarkcounty.com. IT WILL BE REPLAYED OVER CCTV 4 ON TUESDAY, SEPTEMBER 07, 2010, AT 8:00 P.M. FOR MORE PROGRAMMING INFORMATION, CALL THE PUBLIC COMMUNICATIONS OFFICE AT 455-6888.

THE COUNTY CLERK KEEPS THE OFFICIAL RECORD OF ALL PROCEEDINGS OF THE COUNTY COMMISSION, THE CCWRD BOARD OF TRUSTEES, THE UMC HOSPITAL BOARD OF TRUSTEES, AND THE CLARK COUNTY LIQUOR AND GAMING LICENSING BOARD. IN ORDER TO MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL PROCEEDINGS, ANY PHOTOGRAPH, MAP, CHART, OR ANY OTHER DOCUMENT USED IN ANY PRESENTATION TO THE BOARD/TRUSTEES SHOULD BE SUBMITTED TO THE COUNTY CLERK. IF MATERIALS ARE TO BE DISTRIBUTED TO COMMISSIONERS/TRUSTEES, PLEASE PROVIDE SUFFICIENT COPIES FOR DISTRIBUTION TO THE COUNTY MANAGER, COUNTY COUNSEL, AND COUNTY CLERK.

THE CLARK COUNTY COMMISSION CHAMBERS ARE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. WITH TWENTY-FOUR (24) HOUR ADVANCE REQUEST, A SIGN LANGUAGE INTERPRETER MAY BE MADE AVAILABLE (PHONE: 455-3530 OR TDD 387-7486) OR RELAY NEVADA TOLL FREE (800) 326-6868, TT/TDD. ASSISTIVE LISTENING DEVICES ARE AVAILABLE UPON REQUEST AT THE STAFF TABLE.

**CLARK COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM**

Issue: Approval of Lobbying Contract	Back-up:
Petitioner: T. Arthur Ritchie, Chief Judge, Eighth Judicial District Court and Ann E. Zimmerman, Chief Judge, Justice Court Las Vegas Township	Clerk Ref. #
Recommendation: That the Board of County Commissioners approve and authorize the expenditure necessary for the Chief Judges of the Eighth Judicial District Court and Las Vegas Justice Court or their designees to enter into an agreement for lobbying and consulting services with Titan Partners, funding not to exceed \$10,000 per month from September 1, 2010 through June 30, 2011, and further, not to exceed \$2,000 per month from July 1, 2011 through June 30, 2012; and approve and authorize the Chairman to sign the Advocacy and Consultant Agreement between Eighth Judicial District Court, Las Vegas Justice Court, and Titan Partners. However, if a special session occurs between July 1, 2011 through June 30, 2012, in addition to the monthly installment, the Court shall pay Titan \$400 per day.	

FISCAL IMPACT:

Funds are available in District Court fund 1010.000-1160104100.
 Funds are available in Justice Court fund 2190.100 - 1184511000.

BACKGROUND:

This agreement is to secure the lobbying and consulting services of Titan Partners from September 1, 2010 through June 30, 2012 funding not to exceed \$10,000 per month from September 1, 2010 to June 30, 2011. From July 1, 2011 through June 30, 2012 funding is not to exceed \$2,000 per month. However, if a special session occurs between July 1, 2011 and June 30, 2012, in addition to the monthly installment, the Court shall pay Titan \$400 per day. The Clark County Court's Legislative Committee has approved Titan Partners for the 2011 Legislative Session. In addition to these intergovernmental relationship efforts, the services include monitoring state agency activities, interim committee attendance and assignments, as well as legislative activities to identify issues of interest to the Court and its constituents.

In accordance with NRS 332.115.1(b), the competitive bidding process is not required as the services to be performed are professional in nature.

Respectfully submitted,

JEFFREY M. WELLS
 Assistant County Manager

Cleared for Agenda

9/7/2010

Agenda Item #

97

Supporting Materials

Approve and authorize the expenditure necessary for the Chief Judges of the Eighth Judicial District Court and Las Vegas Justice Court or their designees to enter into an agreement for lobbying and consulting services with Titan Partners, funding not to exceed \$10,000 per month from September 1, 2010 through June 30, 2011, and further, not to exceed \$2,000 per month from July 1, 2011 through June 30, 2012; and approve and authorize the Chairman to sign the Advocacy and Consultant Agreement between Eighth Judicial District Court, Las Vegas Justice Court, and Titan Partners. However, if a special session occurs between July 1, 2011 through June 30, 2012, in addition to the monthly installment, the Court shall pay Titan \$400 per day.

Files

-  Approve and authorize the expenditure necessary fo - Clark County Agenda Item Template.doc
-  Approve and authorize the expenditure necessary fo - Lobbying Contract.pdf
-  Approve and authorize the expenditure necessary fo - Titan Partners Disclosure.pdf

ADVOCACY AND CONSULTANT AGREEMENT

THIS AGREEMENT is made and entered into on the 26th day August, 2010, by and between the Eighth Judicial District Court, State of Nevada, hereinafter referred to as "COURT", and in Titan Partners, hereafter referred to as "Titan".

WITNESSETH

WHEREAS, the COURT wishes to retain a full-time lobbyist to represent the COURT's interest prior to and during the next state legislative session and,

WHEREAS, Titan is willing and able to provide these services to the COURT.

NOW, THEREFORE, the parties agree as follows:

1. RETENTION

The COURT shall retain Titan and Titan shall serve the COURT upon the terms and conditions hereinafter set forth.

2. TERMS AND EXTENSION

The COURT agrees to retain Titan for services provided for the period from September 1, 2010 to June 30, 2012. Throughout the term of this agreement including any annual renewals elected by the COURT, Titan agrees to provide services as required by the COURT within the scope of this Contract.

3. DUTIES

I. During the period of its retainer hereunder, Titan shall provide representation of the COURT on all matters relating to the Nevada Legislature including attending interim hearings and other legislative meetings that concern the COURT. Specifically, Titan will provide services including, but not limited to, the following:

- a. the maintenance of an effective liaison with legislative committee members and key administrative agencies;
- b. the communication of the COURT's position, as directed by the COURT, on relevant issues to legislative and agency decision makers and solicitation of support from said decision makers on those issues;
- c. the rendering of advice, aid, and strategies in the identification of, preparation of, and application for state funding for programs beneficial to the COURT;

- d. the rendering of advice, aid, and strategies in the identification and preparation of legislation and legislative strategies beneficial to the COURT's interest;
- e. the preparation and presentation of testimony at committee hearings on matters of interest to the COURT;
- f. on-site services to the COURT and COURT officials while present in Carson City, such as meeting scheduling;
- g. the provision of progress reports to the COURT's Legislative Committee;
- h. assistance in the preparation of the final report detailing the legislation passed that impacts court operations;
- i. attendance at judge's meetings to update the COURT on lobbying efforts and legislative matters; and
- j. facilitating monthly meetings with legislators and Chief Judges.

Within the parameters provided above, Titan will render such other services of an advisory and intermediate nature as may be requested by designated COURT officials while such officials are present in Carson City.

Special Sessions: Titan shall perform duties as referenced above in subsections a through j, during any special sessions that are held during the term of this contract.

4. THE COURT DESIGNEE

Titan shall only accept direction and requests from, and shall submit reports and communications to, the COURT's Legislative Committee members, the Chief Judges, the Court Executive Officer, or officials designated by the aforementioned. Any expenses incurred at the request of any other COURT official will not be reimbursed unless prior written authorization has been secured from the Chief Judges.

5. TITAN DESIGNEE

The parties hereto anticipated that Titan will be present when officials of the COURT are in Carson City, on the Court business. Further, Titan shall maintain sufficient staff coverage as is necessary to monitor legislative activities of Interest to the COURT or otherwise fulfill required duties under Paragraph 3 when the COURT's designee is unavailable to personally monitor such activities.

6. COMPENSATION

During the term of this agreement, the COURT shall pay Titan monthly installments of \$10,000.00 commencing September 1, 2010 through June 30, 2011. Commencing July 1, 2011 through June 30, 2012, the COURT shall pay

Titan monthly installments of \$2,000.00. If a special session occurs between July 1, 2011 through June 30, 2012, in addition to the monthly installment, the COURT shall pay Titan \$400.00 per day.

7. INVOICING

Invoices for the retainer fee provided for this Agreement, and any reimbursable expense, shall be paid within 30 days after receipt by the COURT. Each invoice shall have detailed itemization indicating the nature and cost of expenses incurred. Invoices may be submitted not more than one per month.

8. RELATIONSHIPS BETWEEN PARTIES

The COURT retains Titan only for the purposes and to the extent set forth in this Agreement and the relationship of Titan to the COURT is only that of an independent contractor. Titan is free to dispense of such portion of its personnel's time, energy, and skills, as they are not obligated to devote hereunder to the COURT in such a manner, as Titan deems advisable. Titan shall cause its services to be performed substantially in accordance with the generally accepted practices and ethical principles of lobbyists. It is expected that Titan will not represent other entities with interests directly conflicting with those of the COURT. Should a potential conflict arise between the interest of the COURT and a client or prospective client of Titan, Titan will disclose such conflict to the COURT and, if requested by the COURT, cease representation of said client. If Titan does not comply with the action requested by the COURT, then the COURT may terminate the Agreement immediately without further notice or obligation to Titan.

9. TERMINATION

This Agreement may be terminated without cause by either party upon the giving of 30 days written notice to be delivered as described in paragraph 15 below.

10. PREVAILING LAW

This Agreement shall be construed and enforced in accordance with the laws of the State of Nevada.

11. WAIVER

Any waiver of a breach of any provision of this Agreement shall not be deemed a waiver of any other breach of the same or different provision.

12. EFFECT OF INVALIDITY

In the event any provision of this Agreement is rendered invalid or unenforceable by any valid act of Congress or the Nevada State Legislature, or declared null and void by any court of competent jurisdiction, such provision will be immediately void and may be renegotiated for the sole purpose of rectifying the non-compliance. The remainder of the provisions of this Agreement not in question shall remain in full force and effect.

13. MODIFICATION OR AMENDMENT

This Agreement may not be modified or amended except by an instrument in writing. Signed by duly authorized representatives of the parties hereto.

14. ASSIGNMENT

The duties and responsibilities under this Agreement may not be assigned without the express written consent of the parties hereto.

15. NOTICES

Any notice, invoice, or communication required or permitted to be given under this Agreement shall be in writing and shall be (i) personally delivered, or (ii) delivered by deposit into the US mail, postage prepaid, and addressed and directed as follows:

COURT:

Clark County Eighth Judicial District Court
Las Vegas Justice Court
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155-0001
Attn: Court Executive Officer

TITAN PARTNERS:

Titan Partners
1330 Virginia City Avenue
Las Vegas, Nevada 89106

In WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and year first above written.

BOARD OF COUNTY COMMISSIONERS

By: _____

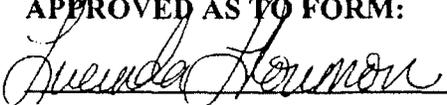
Titan Partners

By:  _____

ATTEST:

County Clerk

APPROVED AS TO FORM:

 _____

DISCLOSURE OF OWNERSHIP/PRINCIPALS

Type of Business					
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust	<input type="checkbox"/> Other
Business Designation Group (For informational purposes only)					
<input type="checkbox"/> MBE	<input type="checkbox"/> WBE	<input type="checkbox"/> SBE	<input type="checkbox"/> PBE	<input type="checkbox"/> LBE	<input type="checkbox"/> NBE
Minority Business Enterprise	Women-Owned Business Enterprise	Small Business Enterprise	Physically Challenged Business Enterprise	Large Business Enterprise	Nevada Business Enterprise
Business Name:		FITAN PARTNERS LLC			
(Include d.b.a., if applicable)					
Business Address:		1330 VIRGINIA CITY AVE LAS VEGAS NV 89106			
Business Telephone:		702.885.9090		Email: morse@fitanpartners.com	
Business Fax:		702.549.2773		US	
Local Business Address		SAME AS ABOVE			
Local Business Telephone:				Email:	
Local Business Fax:					

All non-publicly traded corporate business entities must list the names of individuals holding more than five percent (5%) ownership or financial interest in the business entity appearing before the Board.

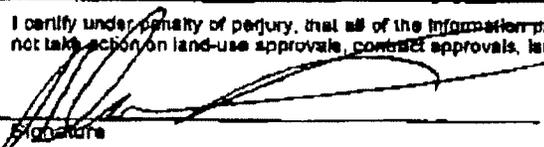
"Business entities" include all business associations organized under or governed by Title 7 of the Nevada Revised Statutes, including but not limited to private corporations, close corporations, foreign corporations, limited liability companies, partnerships, limited partnerships, and professional corporations.

Corporate entities shall list all Corporate Officers and Board of Directors in lieu of disclosing the names of individuals with ownership or financial interest. The disclosure requirement, as applied to land-use transactions, extends to the applicant and the landowner(s).

Full Name	Title	% Owned <small>(not required for Publicly Traded Corporations)</small>
MORSE ARBERRY JR	MANAGING MEMBER	100%

- Are any individual members, partners, owners or principals, involved in the business entity, a Clark County, University Medical Center, Department of Aviation, or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?
 Yes No (If yes, please note that County employee(s), or appointed/elected official(s) may not perform any work on professional service contracts, or other contracts, which are not subject to competitive bid.)
- Do any individual members, partners, owners or principals have a spouse, registered domestic partner, children, parent, in-laws or brothers/sisters, half-brothers/half-sister, grandchildren, grandparents, in-laws related to a Clark County, University Medical Center, Department of Aviation, or Clark County Water Reclamation District full-time employee(s), or appointed/elected official(s)?
 Yes No (If yes, please disclose on the attached Disclosure of Relationship form.)

I certify under penalty of perjury, that all of the information provided herein is current, complete, and accurate. I also understand that the Board will not take action on land-use approvals, contract approvals, land sales, leases or exchanges without the completed disclosure form.


MORSE ARBERRY JR
 Signature Print Name

MANAGING MEMBER 27 Aug 2010
 Title Date

DISCLOSURE OF RELATIONSHIP

List any disclosures below:

NAME OF BUSINESS OWNER/PRINCIPAL	NAME OF COUNTY* EMPLOYEE(S)	RELATIONSHIP TO COUNTY* EMPLOYEE	COUNTY DEPARTMENT
N/A	N/A	N/A	N/A

* County employee means Clark County, University Medical Center, Department of Aviation, or Clark County Water Reclamation District

"Consanguinity" is a relationship by blood. "Affinity" is a relationship by marriage.

"To the second degree of consanguinity" applies to the candidate's first and second degree of blood relatives as follows:

- Spouse – Registered Domestic Partners – Children – Parents – In-laws (first degree)
- Brothers/Sisters – Half-Brothers/Half-Sisters – Grandchildren – Grandparents – In-laws (second degree)

EXHIBIT "D"

EXHIBIT "D"

Las Vegas Sun

Assemblyman Morse Arberry steps down to pursue lobbying career

By **David McGrath Schwartz (contact)**, **Joe Schoenmann (contact)**

Wednesday, Sept. 1, 2010 | 7:50 p.m.

The longtime chairman of the powerful Assembly Ways and Means Committee has resigned from elected office to pursue a lobbying career, including a \$10,000-a-month contract representing the court system in Clark County before his former colleagues.

Morse Arberry, a Las Vegas Democrat first elected to the Assembly in 1984, said he stepped down Tuesday to avoid a conflict of interest between his elected position and his lobbying work.

His sudden entry into the lobbying corps underscores the fact that Nevada has no law to prevent legislators from immediately peddling their influence with former colleagues after they leave office.

Other states and the federal government have one- or two-year “cooling off” periods to slow the spin of the revolving door between government and special interests that have business before the government.

Arberry, who formed Titan Partners on June 21, said he doesn’t believe in cooling-off periods.

“I think you have to hit things while the iron is hot,” said Arberry, who was in his final term in the Assembly because of term limits. “For 25 years I served in the Legislature and in public, and I bring relationships and a lot of knowledge to the table. A cooling-off period hinders an individual. Momentum you have is lost because then you’re not involved in the field.”

Clark County Commissioner Steve Sisolak laughed at Arberry’s comment. He called Arberry a friend, but said his remarks reflect “exactly why we need a cooling-off period.”

The Clark County Commission will vote on Arberry’s lobbying contract next week.

The Legislature convenes in February. Asked what he would be doing for courts in Clark County until the Legislature convenes, Arberry said, “I can best answer that after the meeting a week from now.”

Doug Pinkham, president of Public Affairs Council, a nonpartisan, nonprofit group in Washington, D.C., that promotes best practices for ethics, said cooling-off periods are intended to remove even the appearance of impropriety.

“Whether it’s ethical or not, it doesn’t look good,” Pinkham said. Arberry is “using access and expertise to benefit clients. By benefiting clients, he’s making money.”

County Commissioner Chris Giunchigliani called the proposal to hire Arberry to lobby for District Court and Las Vegas Justice Court “incredible.” She noted that the courts have proposed paying Arberry through administrative fees, which are tacked onto court fines, including parking and speeding tickets.

“While I respect that they (the courts) are the third branch of government, it continues to show they are out of touch with the budget issues we have in local government,” Giunchigliani said. “They don’t need a lobbyist. We should all be working together, not against each other. You don’t have to get people nailed with fees to fund lobbyists.”

Arberry would be paid \$10,000 per month from September through June 2011, when the 2011 Legislature is scheduled to adjourn.

He would then be paid \$2,000 a month through June 30, 2012. If a special session occurred during that time, he would get an additional \$400 per day.

The court system did not issue a wide call for prospective lobbyists through a request for proposals.

Judge Art Ritchie, chief judge of the Eighth Judicial District, which encompasses Clark County, dismissed the hand-wringing over Arberry going to work as the court’s lobbyist. The same “civics discussion” came up two years ago when the judges hired a lobbyist and the contract came before the County Commission, he said.

The judiciary needs lobbyists because “we have a lot of common interests (with Clark County government), but we have a lot of interests that might be different,” he said.

As for signing Arberry, Ritchie said, “Frankly, we’re trying to navigate the legislative process. We’re judges, not legislators, so we need someone who can navigate the Legislature.”

Assembly Majority Leader John Ocegüera, D-Las Vegas, praised Arberry’s decades of service. Arberry knows the budget process as well as anyone in the state, he said.

But Ocegüera added that he plans to introduce legislation that would establish a cooling-off period for retiring lawmakers before they can become lobbyists.

“There ought to be a time period because you are so close to your colleagues, you have to have some time and distance before you come back and come on the lobbying side,” he said. “It’s almost like you’re a colleague still, as opposed to a lobbyist.”

Turning to lobbying after leaving office is not without precedent for Nevada’s part-time citizen Legislature.

Former Assembly Speaker Richard Perkins, a Henderson Democrat who decided not to seek re-election in 2005, returned to lobby for private-sector clients.

Two of Carson City’s more influential lobbyists, Pete Ernaut and Josh Griffin, also had brief stints as assemblymen.

Danny Thompson is a former Democratic assemblyman. He now wanders the Legislature as a lobbyist and head of Nevada AFL-CIO.

And then there are those who don’t even bother to leave office before becoming head of an advocacy group. State Sen. Mark Amodei, R-Carson City, served both as elected representative and president of the Nevada Mining Association. Former state Sen. Warren Hardy, R-Las Vegas, served as president of the Associated Builders and Contractors before he resigned in 2009 to continue in that paid position.

A number of local government employees also serve in the Legislature, prompting some to question who their true constituents are — the voters who elected them or their employers who sign their paychecks.

Julie Tousa, president of the Nevada Center for Public Ethics, said Arberry's situation "is definitely a conflict." She said his former position will give him an unfair advantage in the legislative process.

Although commissioners will consider the contract Tuesday, there is some question whether the courts need their approval because it is a separate branch of government.

If commissioners say no, Ritchie said, "we'll cross that bridge when we get to it."

Giunchigliani said Clark County's cooling-off period does not apply to elected officials. That's why former Commissioner Chip Maxfield was allowed to become head of the Clean Water Coalition in 2009, within months of leaving the commission.

Giunchigliani will try Tuesday to gain enough votes to support a county resolution to incorporate a one-year cooling-off period for elected officials.

During the last legislative session, the Assembly passed a bill that would prevent local governments from hiring contract lobbyists. The bill ultimately died in the Senate. But it got near unanimous approval in the Assembly, including from Arberry.

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EXHIBIT "E"

EXHIBIT "E"

CASES BEFORE COURT INVOLVING MORSE ARBERRY

Morse Arberry is the President of Canyon Lake Mortgage, Inc. and Titan Investment, Inc. (see Secretary of State Business Entity printout). Of the approximate 273 cases filed in the 8th Judicial District Court where Canyon Lake or Canyon Lake Mortgage was a party to the action, 13 cases were pending as of September 7, 2010. No pending cases were found for Titan Investment, Inc. or other business entities in which Mr. Arberry is associated.

Sorted ascending by Party

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE (153)	DOING BUSINESS AS	AGENT FOR THE LANDLORD		CLOSED	04E008620
CANYON LAKE (153)	DOING BUSINESS AS	AGENT FOR THE LANDLORD		CLOSED	04E008633
CANYON LAKE (153)		LANDLORD		CLOSED	04E008635
CANYON LAKE (153)		LANDLORD		CLOSED	04E008636
CANYON LAKE (153)		LANDLORD		CLOSED	04E008638
CANYON LAKE (153)	DOING BUSINESS AS	AGENT FOR THE LANDLORD		OPEN	04E008984
CANYON LAKE (153)	DOING BUSINESS AS	AGENT FOR THE LANDLORD		CLOSED	04E008985
CANYON LAKE (153)		LANDLORD		CLOSED	04E009845
CANYON LAKE (153)		LANDLORD		CLOSED	
CANYON LAKE (153)		LANDLORD		CLOSED	04E012600

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE (153)		LANDLORD		CLOSED	04E012603
CANYON LAKE (153)		LANDLORD		CLOSED	04E012605
CANYON LAKE (153)		LANDLORD		CLOSED	04E012608

CANYON LAKE (153)		LANDLORD		CLOSED	04E012610
CANYON LAKE (153)		LANDLORD		CLOSED	04E012611
CANYON LAKE (153)		LANDLORD		CLOSED	04E012614
CANYON LAKE (153)		LANDLORD		OPEN	04E012997
CANYON LAKE (153)		LANDLORD		OPEN	04E012999
CANYON LAKE (153)		LANDLORD		CLOSED	04E013631
CANYON LAKE (153)		LANDLORD		CLOSED	04E016037

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE (153)		LANDLORD		CLOSED	04E023524
CANYON LAKE (153)		LANDLORD		CLOSED	04E023526
CANYON LAKE (153)		LANDLORD		CLOSED	04E023527
CANYON LAKE (153)		LANDLORD		CLOSED	04E023528
CANYON LAKE (153)		LANDLORD		CLOSED	04E023529
CANYON LAKE (153)		LANDLORD		CLOSED	04E023530
CANYON LAKE (153)		LANDLORD		CLOSED	04E024017
CANYON LAKE (153)		LANDLORD		CLOSED	04E024084
CANYON LAKE (153)		LANDLORD		CLOSED	04E024263
CANYON LAKE (153)		LANDLORD		OPEN	04LVTC008570

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE (153)		LANDLORD		OPEN	04LVTC008571
CANYON LAKE (153)		LANDLORD		OPEN	04LVTC008572
CANYON LAKE (153)		LANDLORD		OPEN	04LVTC008573
CANYON LAKE (153)		LANDLORD		OPEN	04LVTC008574
CANYON LAKE (153)		LANDLORD		CLOSED	05E000109
CANYON LAKE (153)		LANDLORD		CLOSED	05E001689
CANYON LAKE (153)		LANDLORD		CLOSED	05E003401
CANYON LAKE (153)		LANDLORD		CLOSED	05E003402

CANYON LAKE (153)		LANDLORD		CLOSED	05E003538
CANYON LAKE (153)		LANDLORD		CLOSED	05E003539

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE		LANDLORD		CLOSED	03E008292001
CANYON LAKE		LANDLORD		CLOSED	03E008842001
CANYON LAKE		LANDLORD		CLOSED	03E009784
CANYON LAKE		LANDLORD		CLOSED	03E009786
CANYON LAKE		LANDLORD		CLOSED	03E009787
CANYON LAKE		LANDLORD		CLOSED	03E010441
CANYON LAKE		LANDLORD		OPEN	03E010442
CANYON LAKE		LANDLORD		OPEN	03E010443
CANYON LAKE		LANDLORD		CLOSED	03E012185
CANYON LAKE		LANDLORD		CLOSED	03E012187

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE		LANDLORD		CLOSED	04E006959
CANYON LAKE		LANDLORD		CLOSED	04E007322
CANYON LAKE		LANDLORD		CLOSED	04E008633
CANYON LAKE		LANDLORD		OPEN	04E008984
CANYON LAKE		LANDLORD		CLOSED	04E008985
CANYON LAKE		LANDLORD		CLOSED	04E010524
CANYON LAKE		LANDLORD		CLOSED	04E010600
CANYON LAKE		LANDLORD		CLOSED	04E010601
CANYON LAKE		LANDLORD		CLOSED	04E010604
CANYON LAKE		LANDLORD		CLOSED	04E010605

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE		LANDLORD		CLOSED	05E007720

CANYON LAKE		LANDLORD		CLOSED	05E007851
CANYON LAKE		LANDLORD		CLOSED	05E009898
CANYON LAKE		LANDLORD		CLOSED	05E011385
CANYON LAKE		LANDLORD		CLOSED	05E011387
CANYON LAKE		LANDLORD		CLOSED	05E011388
CANYON LAKE		LANDLORD		OPEN	05LVTC005683
CANYON LAKE 153		LANDLORD		CLOSED	01E020915001
CANYON LAKE 153		LANDLORD		CLOSED	
CANYON LAKE 153		LANDLORD		CLOSED	02E002704001

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
CANYON LAKE MORTGAGE INC		LANDLORD		CLOSED	05E024585
CANYON LAKE MORTGAGE INC		LANDLORD		CLOSED	07E006144
CANYON LAKE MORTGAGE INC		LANDLORD		CLOSED	07E010635
CANYON LAKE MORTGAGE, INC		TENANT		OPEN	
CANYON LAKE MORTGAGE, INC		TENANT		OPEN	07LVTC059725

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Party	Affiliation	Party Type	D.O.B.	Case Status	Case Number
TITAN INVESTMENTS		LANDLORD		CLOSED	03E014449
TITAN INVESTMENTS INC	DOING BUSINESS AS	LANDLORD		CLOSED	02E001221001
TITAN INVESTMENTS INC		LANDLORD		CLOSED	02E015903001
TITAN INVESTMENTS INC		LANDLORD		CLOSED	08E018586

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Business Entity Search

* Includes Trademarks, Trade Names, Service Marks, Reserved Names & Business Licenses

Search by: Officer Name: First Name Middle Init. Last Name
 Include phonetic matches

Sort by: descending ascending order

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Search Results 1 - 11 of 11 search results

Officer Name	Officer Type	Entity Name
MORSE ARBERRY	Manager	TITAN PARTNERS, LLC
MORSE ARBERRY	Managing Member	RESURRECTION ENTERPRISE, LLC
MORSE ARBERRY JR	President	TITAN INVESTMENT, INC.
MORSE ARBERRY JR	Director	ST. MORSE, DEVELOPMENT INC
MORSE ARBERRY JR	President	ST. MORSE, DEVELOPMENT INC
MORSE ARBERRY JR	Secretary	ST. MORSE, DEVELOPMENT INC
MORSE ARBERRY JR	Treasurer	ST. MORSE, DEVELOPMENT INC
MORSE ARBERRY JR	Director	CANYON LAKE MORTGAGE, INC.
MORSE ARBERRY JR	President	CANYON LAKE MORTGAGE, INC.
MORSE ARBERRY JR	Secretary	CANYON LAKE MORTGAGE, INC.
MORSE ARBERRY JR	Treasurer	CANYON LAKE MORTGAGE, INC.

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07E022171 GATSKI COMMERCIAL REAL ESTATE SERVICES VS CANYON LAKE MORTGAGE, INC SAR

File Date	11/20/2007	Case Status	OPEN	Case Status Date	11/20/2007
		Case Disposition	UNDISPOSED	Case Disposition Date	

Party Information

Party Name	Party Alias(es)	Party Type	Attorney(s)	Attorney Phone
GATSKI COMMERCIAL REAL ESTATE SERVICES		LANDLORD		
CANYON LAKE MORTGAGE, INC		TENANT		
REGAL, NANCY		AGENT FOR THE LANDLORD		

Financial Entries

Receipt #	Date	Received From	Amount Paid
8549364	11/20/2007	MCK ENTERPRISES	46.00
		<u>Payment</u>	<u>Fee</u>
		BUSINESS CHECK 46.00	COST 46.00

Docket Entries

Date	Text
11/26/2007	ORDER SENT TO CONSTABLE
11/20/2007	EARLY LANDLORD FILING - ORDERS TO BE SENT OUT 11/26/07
11/20/2007	EVICTION-LANDLORD/\$46 FILING FEE - SELF PREPARED FORM Receipt: 8549364 Date: 11/20/2007
11/20/2007	LANDLORD FILED AFFIDAVIT OF COMPLAINT - SELF PREPARED

07LVTC059725 GATSKI COMMERCIAL VS CANYON LAKE MORTGAGE, INC					
File Date	11/21/2007	Case Status	OPEN	Case Status Date	11/21/2007
		Case Disposition	UNDISPOSED	Case Disposition Date	
Party Information					
Party Name	Party Alias(es)	Party Type	Attorney(s)	Attorney Phone	
GATSKI COMMERCIAL		LANDLORD			
CANYON LAKE MORTGAGE, INC		TENANT			
Financial Entries					
Receipt #	Date	Received From	Amount Paid		
420634	12/11/2007	GATSKI COMMERCIAL	31.00		
	Payment		Fee		
	BUSINESS CHECK	31.00	LVTC FEE	21.00	
			LVTC MILEAGE	10.00	
Receipt #	Date	Received From	Amount Paid		
413971	11/21/2007	GATSKI COMMERCIAL	62.00		
	Payment		Fee		
	BUSINESS CHECK	62.00	LVTC FEE	42.00	
			LVTC MILEAGE	20.00	
Docket Entries					
Date	Text				
12/11/2007	MILEAGE FEE \$2 A MILE Receipt: 420634 Date: 12/11/2007				
12/11/2007	SERVICE ISSUED				
12/11/2007	HALF SUMMARY EVICTION FEE Receipt: 420634 Date: 12/11/2007				
11/21/2007	SERVICE ISSUED				
11/21/2007	MILEAGE FEE \$4 A MILE Receipt: 413971 Date: 11/21/2007				
11/21/2007	SUMMARY EVICTION ORDER Receipt: 413971 Date: 11/21/2007				

EXHIBIT "F"

EXHIBIT "F"

From: ralston@vegas.com[SMTP:RALSTON@VEGAS.COM]
Sent: Friday, September 03, 2010 10:29:41 AM
To:
Subject: RalstonFlash--More Moosejuice: Judge says Arberry shouldn't represent court because of behavior
Auto forwarded by a Rule

This was sent by email an hour ago from Judge Susan Johnson to Chief Judge Art Ritchie and copied to her colleagues on the District Court bench:

Yesterday, while reading the news stories, I learned both the Eighth Judicial District Court and Justice Court, Las Vegas Township intended to retain or hire Morse Arberry, Assemblyman and Chair of the Ways and Means Committee, as the courts' lobbyist to serve during the 2011 Nevada Legislature. The news stories also indicated the matter would be presented to the Clark County Commissioners for a vote and approval to pay his six-figure salary. Frankly, I was troubled the judges were not first informed Mr. Arberry was being contemplated to serve as the Courts' lobbyist and representative before the matter was discussed in news stories. In my view, such a proposition should have been presented to and vetted by the judges in a meeting prior to a decision being made about his retention. If I had been so informed, I would have told all the judges of my concerns, most of which have been discussed in the newspapers. The person the judiciary retains as its lobbyist and representative should be of the highest integrity. From what I understand, Mr. Arberry has demonstrated an inability to pay his taxes and meet his other financial obligations, such as paying monthly mortgage payments. He apparently held himself available to serve as our Courts' lobbyist while still serving as a state assemblyman and Chair of the Ways and Means Committee, which, in and of itself, creates a conflict of interest. This is not the person that I believe should represent the interests of the Clark County Courts.

I suspect I am not the only one who feels this way. I ask that you arrange a meeting for all the judges to discuss the matter, and vote whether to retain Mr. Arberry as our courts' lobbyist and representative before there is a presentation made before the Clark County Commissioners next week.

Dear Flashees, this deal is all but dead. I hear a majority of the commission is now against it.

Can the judges who want Arberry find a way around that?

From: ralstonflash@gmail.com

Sent: Tuesday, September 07, 2010 9:51 AM

To:

Subject: RalstonFlash--Moosejuice update: Judges have arrived at County Commission; judge sends another scathing missive to colleagues

In an email to all of her colleagues this morning, Judge Susan Johnson reiterated her opposition to the hiring of Morse Arberry, mentioning his pending foreclosure case before the courts. Arberry does not have the votes but Judge Art Ritchie and Ann Zimmerman are at this morning's meeting and the item has not been withdrawn. Johnson's email is below.

Ex-state Sen. Joe Neal also is at the meeting, and county officials believe he may speak on the item.

Chief Judge Ritchie:

I ask that you withdraw the Courts' request from this morning's Clark County Commissioners' agenda for the funding of an outside lobbyist to represent the judiciary's interests in the upcoming 2011 Nevada Legislative session so as to allow the judges time to discuss issues relating to it at the all district courtjudges meeting scheduled tomorrow.

As you know, the issues here are two-fold; First, should the Clark County Courts pay to retain outside lobbyist in light of the talents and experience of our judges and administration who have in the past, and can represent our interests in 2011? Second, if the answer to the first question is yes, is Morse Arberry an appropriate choice to represent the judiciary's interests.

With respect to the first issue, considering the financial challenges our citizens, private businesses, as well as state and local governmental agencies have suffered due to ongoing state and national problems, it is appropriate, if not imperative, for every branch of government and political subdivision, including the Clark County Courts, to question utilizing public monies to fund lobbying activities at the legislature. As you know, through court administration's and the judges' efforts, the Clark County Courts have not only reduced expenditures, but made significant cuts in our budgets. For example, our courts have not filled vacancies of clerical and key employment positions, such as the Jury Commissioner, to save money. Taking steps to cut expenses have not been easy for court employees or the public, but the need to reduce is understood by those affected. Utilizing \$120,000 to fund the salary of an outside lobbyist is an issue in which all of our judges should voice their concerns. In the past, our court administration, judges (including you), and former assistant court administrator, Rick Loop, worked tirelessly during the legislative sessions, and there is no one who can doubt such efforts' success. In my view, leaders of all political subdivisions and branches of government should consider the necessity of spending public monies to retain outside lobbyists. In this regard, I believe we judges should explore prospects of utilizing our courts' resources by way of its court administration and judges to represent and protect our interests in the 2011 Nevada Legislature before we consider hiring an outside lobbyist. Such a measure would avoid what may be an unnecessary expenditure of funds that could be used in vital areas.

Secondly, if the judges deem it necessary to pay for an outside lobbyist to protect the Clark County Courts' interests, they should be posed with the question whether Morse Arberry is an appropriate candidate for the position. I have voiced my concerns to you about Mr. Arberry representing our courts' interests in previous e-mail. I believe, and hope most judges would believe only someone of the highest integrity should represent the Clark County Courts before our state legislature. Mr. Arberry has not demonstrated that integrity either professionally or personally. My concerns are particularly heightened in view of the Courts apparently negotiating with Mr. Arberry for his lobbying services while he was assemblyman and Chair of the Ways and Means Committee, and at a time when this Court was hearing a lawsuit Mr. Arberry brought to halt the foreclosure of his property due to his failure to pay the monthly mortgage payments. At any rate, for the above reasons (the expense of hiring an outside lobbyist and concerns about the individual being considered), I strongly recommend you withdraw this item from the

Clark County Commissioners' agenda this morning. This issue should not be brought to the Commission before the judges have an opportunity to discuss them and voice their concerns. Again, as you plan to discuss this matter with the judges at tomorrow's meeting, bringing the item to the Commission today may not be productive.

SUSAN JOHNSON
District Court Judge, Department XXII

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Longtime assemblyman Arberr resigns

By ED VOGEL
LAS VEGAS REVIEW-JOURNAL CAPITAL BUREAU

CARSON CITY -- Assemblyman Morse Arberr, D-Las Vegas, has resigned from the Legislature and may become a legislative lobbyist for the district and justice court system in Clark County.

Arberr, 57, submitted his resignation Tuesday to Gov. Jim Gibbons, effective immediately. He expressed his gratitude for being able to represent the people of Assembly District 7 for 25 years.

Arberr was prohibited by the term-limits constitutional amendment from seeking another term, and under state law whoever wins the Nov. 2 race for his seat immediately becomes his replacement. A replacement, however, would not be necessary unless the Legislature meets in a special session before the next regular session convenes in February.

Arberr could not be reached for comment Wednesday.

Lorne Malkiewich, the administrator of the Legislative Counsel Bureau, said there is no law that prevents former legislators from serving immediately as legislative lobbyists.

The court system in Clark County will ask the County Commission next week to approve a contract with Titan Partners for up to \$10,000 per month from September 2010 through June 2011 for lobbying and consulting services. Titan would be paid up to \$2,000 a month from July 2011 through June 2012 and an additional \$400 per day for any special session during that time.

Arberr incorporated Titan Partners on June 21 and is listed in the secretary of state's records as manager and sole owner of the company.

More than a dozen former legislators work as legislative lobbyists.

Since 1997, Arberr has been known as the even-tempered chairman of the Assembly Ways and Means Committee, which reviews and approves state agency spending. He also repeatedly has chaired the Legislature's Interim Finance Committee, the group of 21 legislators that makes decisions on state spending between the regular legislative sessions. He also has been a member of the Assembly Taxation Committee.

Democrat Dina Neal and Republican Geraldine Lewis are running for Arberr's seat. Neal is the daughter of retired state Sen. Joe Neal, D-North Las Vegas.

Find this article at:

<http://www.lvrj.com/news/longtime-assemblyman-arberr-resigns-102028493.html>

Check the box to include the list of links referenced in the article.

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Legislator no shoo-in for lobbyist job

Commissioner cites unpaid property taxes

By SCOTT WYLAND and JEFF GERMAN
LAS VEGAS REVIEW-JOURNAL

Longtime state Assemblyman Morse Arberry is finishing a 25-year political career in pursuit of a lobbying job that is uncertain.

Arberry, who resigned Wednesday, seeks a six-figure lobbying contract with the Clark County courts that needs a majority vote from the same county commissioners who have set policies at odds with his prospective client in areas such as salary and staffing.

The proposed contract will be considered by county commissioners on Tuesday.

The 57-year-old's goal might be impeded by thousands of dollars in local property taxes he has yet to pay.

The problem is not a new one for the veteran politician. In 2003 and 2004, Arberry twice came within hours of having his Bonanza Village home sold by the city to cover a delinquent special improvement district assessment. Last-minute payments kept it from going to auction.

Arberry, who was barred from seeking re-election because of term limits, did not return calls seeking comment.

Commissioner Steve Sisolak said Arberry's unpaid debt is one reason not to hire him as a lobbyist.

"He needs to square up with the taxpayers before he applies for the job," Sisolak said Thursday. "I think that's only reasonable."

Sisolak also argued that the county should not have any outside lobbyists, especially ones who work against the public's financial interest.

The county has not contracted with an outside lobbyist since June 2009 and plans to send an in-house lobbying team to the next legislative session. However, University Medical Center, the county hospital, pays R&R Partners, a lobbying firm, \$7,500 a month on a contract set to expire Sept. 30.

The county's top judges say hiring a lobbyist with Arberry's qualifications is crucial to looking out for the interests of the courts at the 2011 Legislature.

"This will be the most important legislative session in history considering the budget crisis that we are in," Chief Las Vegas Justice of the Peace Ann Zimmerman said. "We'd be foolish not to hire a

lobbyist. We have no idea what's going to happen, and we want to be prepared and informed."

Zimmerman said Arberry is perfect for the job.

"If you're going to hire a lobbyist, what do you want?" she asked. "You want somebody with knowledge, experience and relationships, which makes him a brilliant choice."

Chief District Judge T. Arthur Ritchie Jr. added, "We want to hire him because he's got a great breadth of experience in how the legislative process works. It's a matter of monitoring hundreds of bills that have an impact on the courts and the administration of justice."

Ritchie said concerns were raised in 2008 when the courts hired a lobbyist, but the county approved the funding, anyway. This time, he said, the contract is longer and for less money: \$124,000 for two years compared with \$150,000 for 15 months.

Some court officials think they need a lobbyist to combat county actions such as phasing out justices' longevity pay, Sisolak said.

Justices also are displeased that the county wants to increase the population threshold for adding a justice of the peace, he said.

A proposed county bill would increase that threshold to one new justice for every 150,000 new residents instead of 100,000.

Court officials say the move could result in a decline in the number of seats on the Justice Court bench. County leaders, however, say that the cap would apply to new justices and that the current ones would be grandfathered in.

Zimmerman said the bill comes at a time when the voters are electing two new justices of the peace in November, based on the current population formula. The new seats will increase the number of judges to 14.

As a lawmaker, Arberry was at times an ally to the courts. While on the Ways and Means Committee, Arberry helped sponsor a bill two years ago that added nine judges to the county's District Court.

Sisolak said the county lacks the money to expand the court system in the current budget crunch.

Sisolak said he also was concerned that Nevada allows an elected leader such as Arberry to jump into lobbying with no cooling-off period, as other states and the federal government require.

Arberry arranged to come before the Clark County Commission with his proposed contract while he was still in office, Sisolak said.

AFL-CIO Secretary-Treasurer Danny Thompson said he did not become a union lobbyist until two years after his long career as a Democrat assemblyman from Henderson.

He does not see a need for a law requiring a cooling-off period for former legislators who want to become lobbyists. Thirteen ex-legislators served as lobbyists during the 2009 session and the special session in February.

"Now we have term limits and legislators will be changed more frequently," he said. "It is not as big of a deal as it used to be."

There is no law preventing other elected officials from being lobbyists. Clark County Commissioner Tom Collins served as a lobbyist for a client involved with the Coyote Springs development in 2009. Collins also is a former legislator.

Carson City Mayor Bob Crowell has been a legislative lobbyist for many years and acted on behalf of more than a dozen clients at the 2009 session.

Review-Journal Capital Bureau Chief Ed Vogel contributed to this report. Contact Scott Wyland at swyland@reviewjournal.com or 702-455-4519. Contact Jeff German at jgerman@reviewjournal.com or 702-380-8135 or read more courts coverage at lvlegalnews.com.

LEGISLATORS TURNED LOBBYISTS

The 13 former legislators listed below lobbied at the 2009 Legislature or during the special session in February:

- Ernie Adler, state senator, D-Carson City: represented IBEW Local 1245, Rite of Passage and Reno-Sparks Indian Colony.
- Maureen Brower, assemblywoman, R-Las Vegas: represented "self."
- Richard Bryan, U.S. senator, Nevada governor, attorney general and legislator, D-Las Vegas: represented Cantor G&W, Fronteer Development, Latin Chamber of Commerce, Nevada Credit Union League, Nevada Press Association, Utilities Inc., Nevada Connections Academy, Lionel Sawyer & Collins.
- Tom Collins, assemblyman, D-North Las Vegas, and current Clark County commissioner: represented Tuffy Ranch LLC.
- Pete Ernaut, assemblyman, R-Reno: represented 16 clients, including the Nevada Resort Association, NV Energy, Nevada Mining Association, AT&T Nevada, University Medical Center, Coyote Springs Investments.
- Helen Foley, state senator, D-Las Vegas: represented Pardee Homes of Nevada, National Association of Professional Organizations, Faiss Foley Warren.
- David Goldwater, assemblyman, D-Las Vegas: represented Barrick Gold of North America
- Bill Gregory, assemblyman, R-Las Vegas: represented Southwest Gas Corp., Station Casinos and six other companies.
- Josh Griffin, assemblyman, R-Henderson: represented MGM Mirage, Greenspun Corp., Barrick Gold of North America, Nevada Broadcasters Association and six other companies.
- Warren Hardy, state senator, R-Las Vegas: represented Associated Builders and Contractors at the February special session.
- Joe Johnson, assemblyman, D-Reno: represented the Sierra Club.
- Richard Perkins, assemblyman, D-Henderson, and Henderson police chief: represented city of Henderson, Newmont Mining Corp., Frias Transportation, Insurenent.
- Danny Thompson, assemblyman, D-Henderson: represented Nevada State AFL-CIO.

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