







# Memorandum

**Date:** January 24, 2019

**To:** SOUTHERN NEVADA DISTRICT BOARD OF HEALTH

**From:** Jeremy Harper, REHS, Environmental Health Supervisor   
Karla Shoup, REHS, Environmental Health Manager   
Christopher Saxton, REHS, Director of Environmental Health   
Joseph P. Iser, MD, DrPH, MSc, Chief Health Officer 

---

**Subject:** Variance Request to Operate one Public Bathing Place not in Compliance with the Nevada Administrative Code (NAC) 444.132; Hotspur Resorts Nevada LTD, dba JW Marriott, located at 211 North Rampart Blvd, Las Vegas, Nevada 89145; [Assessor's Parcel Number (APN) 138-29-401-011] for Health Permit PR0013737, Adil Kanji, for the Owner(s), Hotspur Resorts Nevada LTD.

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## I. BACKGROUND:

Hotspur Resorts Nevada LTD, dba JW Marriott is petitioning for a variance as requested by Adil Kanji, representative for the owner, to operate one public swimming pool not in compliance with the following: Nevada Administrative Code (NAC) **444.132.1**, which states "Each pool must have at least one elevated lifeguard chair. This shall be presumed to be adequate for 2,000 square feet (185.8 square meters) of pool surface area with an additional lifeguard chair being provided for each additional area of 2,000 square feet (185.8 square meters) or major fraction thereof."

The public bathing place is located on APN 138-29-401-011, at 244 North Rampart Blvd, Las Vegas, Nevada.

## II. DISCUSSION:

For the public swimming pool, the petitioner is requesting a variance from NAC 444.132, which would allow them to operate the Main Pool at the property with fewer lifeguard chairs than the current code requires. Based on the surface area requirement in NAC 444.132, six lifeguards are required for a pool with a surface area of 11,395 ft<sup>2</sup>. The variance petition is accompanied by a lifeguard plan and an evaluation of the lifeguard zones of coverage, which was prepared by an independent lifeguarding training provider, Life Saving Measures LLC, using the methods outlined in section 4-303.2 of the 2018 SNHD Aquatic Facility Regulations. The evaluation indicates that the lifeguards in each zone of coverage are able to reach the furthest extent of the zone within or under 20 seconds, which is compliant with the incoming regulations. In addition

to the evaluation of the lifeguarding zone evaluation, the lifeguarding agency will perform three unannounced audits per year to ensure that the facility is maintaining adequate lifeguard coverage. Note: There are no prior records of post-accident investigations for this facility on file with SNHD.

The evidence presented for granting a variance to permit Hotspur Resorts Nevada LTD to deviate from NAC 444.132, is listed below.

The petitioner states the following in regard to this requirement:

1. There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation:

The JW Marriott Las Vegas seeks a variance to allow the Hotels Aquatic Center to submit a staffing and operating plan for the 2019 Pool Season based on the newly approved Aquatic Facilities regulations approved June 9<sup>th</sup>, 2018. We would like to operate based on the 4-303.2 (A) code which states:

**"At least one LIFEGUARD shall be required for every 2000 square feet or major fraction thereof, unless an independent lifeguard auditing entity provides documentation validating that the proposed number of LIFEGUARDS will meet all of the requirements outlined in this section. A minimum of three (3) unannounced audits must be conducted by the auditing entity each season with copies provided to and available for review by the HEALTH AUTHORITY"**

The Current Aquatic Regulations outline a lifeguard per 2000 square feet, unless an independent Lifeguarding auditing entity validates that the number of lifeguards proposed meets all of the requirements outlined. Due to the unique shape of the JW Marriott Las Vegas's pool, the current lifeguard plan creates a potentially unsafe atmosphere for our valued guests. Having the lifeguards stationed closely together during high occupancy times, as the current plan dictates, creates a false idea that "Someone else is watching my area". Guard zones severely overlap, most evident in the current stand 2 and stand 4.

With the approval of the newly submitted Lifeguarding plan for 2019 we ensure the following:

1. The LIFEGUARD is capable of viewing the entire area of the assigned zone of BATHER surveillance;
2. The LIFEGUARD is able to reach the furthest extent of the assigned zone of BATHER surveillance within 20 seconds;
3. The ability to Identify whether the LIFEGUARD is in an elevated stand, walking, in-water and/or other APPROVED position;

The JW Marriott Las Vegas has submitted evidence to prove the above true utilizing the services and expertise of "Life Saving Measures LLC" based in Las Vegas Nevada. "Life Saving Measures LLC" operates a certified and highly locally reputable Lifeguard staffing and certification operation used by most major hotels in the Las Vegas area.

2. There must be circumstances or conditions which make compliance with the regulation

unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant:

The request for variance is not based on economic factors but rather adherence to newly approved regulations set forth by the Southern Nevada Health District in regard to Aquatic Facilities. With the approval of the submitted 2019 Lifeguarding Plan we ensure that safety is at the forefront for our guests while successfully maintaining the facilities and regulations set forth by the Health District previously burdensome with the 2018 plan. With the reduction of Life Guards on the deck during occupancies of 75 guests or more we will be to further create a clean and safer facility for all of our associates and guests while maintaining a safe environment for our bathers.

3. Granting the variance will not be detrimental or pose a danger to the public health and safety:

The granting of this variance will not in any way pose a danger to the public health and safety of all of our guests. The JW Marriott Las Vegas is committed to the health, safety and enjoyment of our facilities to all of our guests. We strive to provide the best overall experience for our guests by having well trained and well-mannered Lifeguards, secure facilities and an ongoing training program to ensure knowledgeable and highly responsive Lifeguards.

The 2019 Pool Season will see an expanded in-service training program with nationally accredited Red Cross certified instructors conducting the training on a scheduled basis. In accordance to the Health Department regulation, multiple random audits will be conducted by third party entities ensuring that the JW Marriott Las Vegas Aquatic Center remains in compliance to approved 2019 Lifeguard Plan.

**III. RECOMMENDATION:**

1. With regard to a variance from NAC 444.132, for the Main Pool, staff is of the opinion that circumstances exist which satisfy the requirements for a variance, and that granting a variance from these regulations will not be detrimental or pose a danger to public health and safety.

Staff recommends approval of a variance with the conditions outlined below.

**IV. CONDITIONS**

1. The petitioner agrees to follow the approved lifeguard staffing plan during all hours of operation;
2. The petitioner agrees that any documentation related to the lifeguard plan, lifeguard in-servicing, and lifeguard auditing results is made available to SNHD upon request;
3. The petitioner agrees to adhere to all other applicable requirements of the Public Bathing Places Public Spas Regulations, NAC 444;
4. Failure of the petitioner to prevent public health and safety issues, as determined by the health authority, will result in the voiding of this variance;
5. This variance is non-transferable upon closing of any sale transaction involving the subject property. New owners must apply in writing for continuation of any variance conditions

JH

**Attachments:**

- A. Nevada Secretary of State Corporate Information
- B. Variance Application Letter
- C. Variance Candidate Worksheet
- D. Assessor's Parcel Information
- E. Assessor's Map
- F. Lifeguard Plan and Evaluation
- G. Public Notice

# ATTACHMENT

A

# HOTSPUR RESORTS NEVADA, L

## Business Entity Information

<b>Status:</b>	Active	<b>File Date:</b>	2/3/2005
<b>Type:</b>	Domestic Corporation	<b>Entity Number:</b>	E000747200
<b>Qualifying State:</b>	NV	<b>List of Officers Due:</b>	2/28/2019
<b>Managed By:</b>		<b>Expiration Date:</b>	
<b>NV Business ID:</b>	NV20051198312	<b>Business License Exp:</b>	2/28/2019

## Additional Information

<b>Central Index Key:</b>	
---------------------------	--

## Registered Agent Information

<b>Name:</b>	GOOLD PATTERSON	<b>Address 1:</b>	1975 VILLA STE 140
<b>Address 2:</b>		<b>City:</b>	LAS VEGAS
<b>State:</b>	NV	<b>Zip Code:</b>	89134
<b>Phone:</b>		<b>Fax:</b>	
<b>Mailing Address 1:</b>		<b>Mailing Address 2:</b>	
<b>Mailing City:</b>		<b>Mailing State:</b>	NV
<b>Mailing Zip Code:</b>			
<b>Agent Type:</b>	Commercial Registered Agent - Limited-Liability Corporation		
<b>Jurisdiction:</b>	NEVADA	<b>Status:</b>	Active

## Financial Information

<b>No Par Share Count:</b>	0	<b>Capital Amount:</b>	\$ 75,000.00
<b>Par Share Count:</b>	75,000.00	<b>Par Share Value:</b>	\$ 1.00

## Officers

Include

President - THADDAS L ALSTON

--	--	--	--

<b>Address 1:</b>	<b>16202 BEACH DRIVE N.E.</b>	<b>Address 2:</b>	
<b>City:</b>	<b>SEATTLE</b>	<b>State:</b>	<b>WA</b>
<b>Zip Code:</b>	<b>98115</b>	<b>Country:</b>	
<b>Status:</b>	<b>Active</b>	<b>Email:</b>	

**Secretary - THADDAS L ALSTON**

<b>Address 1:</b>	<b>16202 BEACH DRIVE N.E.</b>	<b>Address 2:</b>	
<b>City:</b>	<b>SEATTLE</b>	<b>State:</b>	<b>WA</b>
<b>Zip Code:</b>	<b>98115</b>	<b>Country:</b>	
<b>Status:</b>	<b>Active</b>	<b>Email:</b>	

**Treasurer - THADDAS L ALSTON**

<b>Address 1:</b>	<b>16202 BEACH DRIVE N.E.</b>	<b>Address 2:</b>	
<b>City:</b>	<b>SEATTLE</b>	<b>State:</b>	<b>WA</b>
<b>Zip Code:</b>	<b>98115</b>	<b>Country:</b>	
<b>Status:</b>	<b>Active</b>	<b>Email:</b>	

**Director - THADDAS L ALSTON**

<b>Address 1:</b>	<b>16202 BEACH DRIVE N.E.</b>	<b>Address 2:</b>	
<b>City:</b>	<b>SEATTLE</b>	<b>State:</b>	<b>WA</b>
<b>Zip Code:</b>	<b>98115</b>	<b>Country:</b>	
<b>Status:</b>	<b>Active</b>	<b>Email:</b>	

**- Actions\Amendments**

<b>Action Type:</b>	<b>Articles of Incorporation</b>		
<b>Document Number:</b>	<b>20050007864-02</b>	<b># of Pages:</b>	<b>2</b>
<b>File Date:</b>	<b>2/3/2005</b>	<b>Effective Date:</b>	

**Initial Stock Value: Par Value Shares: 75,000 Value: \$ 1.00 No Par Value Shares: 0 -----**  
**----- Total Authorized Capital: \$ 75,000.00**

<b>Action Type:</b>	<b>Initial List</b>		
<b>Document Number:</b>	<b>20050012039-22</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/8/2005</b>	<b>Effective Date:</b>	

**(No notes for this action)**

<b>Action Type:</b>	<b>Amended &amp; Restated Articles</b>		

<b>Document Number:</b>	<b>20050025005-99</b>	<b># of Pages:</b>	<b>9</b>
<b>File Date:</b>	<b>2/17/2005</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20060083121-43</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/9/2006</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Amendment</b>		
<b>Document Number:</b>	<b>20060725080-60</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>11/8/2006</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20070128172-30</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/23/2007</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20080134529-94</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/27/2008</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20090188647-75</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/27/2009</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20100120082-56</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/25/2010</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	<b>Annual List</b>		
<b>Document Number:</b>	<b>20110141362-01</b>	<b># of Pages:</b>	<b>1</b>
<b>File Date:</b>	<b>2/25/2011</b>	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			



<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20120141796-63	<b># of Pages:</b>	1
<b>File Date:</b>	2/28/2012	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20130135806-89	<b># of Pages:</b>	1
<b>File Date:</b>	2/27/2013	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20140147662-13	<b># of Pages:</b>	1
<b>File Date:</b>	2/27/2014	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20150088610-51	<b># of Pages:</b>	1
<b>File Date:</b>	2/26/2015	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20160013788-36	<b># of Pages:</b>	1
<b>File Date:</b>	1/12/2016	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20170111797-46	<b># of Pages:</b>	1
<b>File Date:</b>	3/14/2017	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			
<b>Action Type:</b>	Annual List		
<b>Document Number:</b>	20180095679-77	<b># of Pages:</b>	1
<b>File Date:</b>	2/28/2018	<b>Effective Date:</b>	
<b>(No notes for this action)</b>			

ATTACHMENT

B

November 9, 2018

Director of Environmental Health  
Southern Nevada Health District  
280 S. Decatur Blvd.  
Las Vegas NV 89107

RE: LARCO, dba: JW Marriott Las Vegas

i. Request for Variance of Number of Life Guards Required (SEC 4-303.2 A)

Dear Director of Environmental Health,

Please accept this letter as a request for the Variance listed above pertaining to the Aquatic operation at the JW Marriott Las Vegas.

The JW Marriott Las Vegas seeks a variance to allow the Hotels Aquatic Center to submit a staffing and operating plan for the 2019 Pool Season based on the newly approved Aquatic Facilities regulations approved June 9<sup>th</sup> 2018. We would like to operate based on the 4-303.2 (A) code which states:

**“At least one LIFEGUARD shall be required for every 2000 square feet or major fraction thereof, unless an independent lifeguard auditing entity provides documentation validating that the proposed number of LIFEGUARDS will meet all of the requirements outlined in this section. A minimum of three (3) unannounced audits must be conducted by the auditing entity each season with copies provided to and available for review by the HEALTH AUTHORITY”**

The Current Aquatic Regulations outline a lifeguard per 2000 square feet, unless an independent Lifeguarding auditing entity validates that the number of lifeguards proposed meets all of the requirements outlined. Due to the unique shape of the JW Marriott Las Vegas’s pool, the current lifeguard plan creates a potentially unsafe atmosphere for our valued guests. Having the lifeguards stationed closely together during high occupancy times, as the current plan dictates, creates a false idea that “Someone else is watching my area”. Guard zones severely overlap, most evident in the current stand 2 and stand 4.

With the approval of the newly submitted Lifeguarding plan for 2019 we ensure the following:

4. The LIFEGUARD is capable of viewing the entire area of the assigned zone of BATHER surveillance;
5. The LIFEGUARD is able to reach the furthest extent of the assigned zone of BATHER surveillance within 20 seconds;

6. The ability to identify whether the LIFEGUARD is in an elevated stand, walking, in-water and/or other APPROVED position;

The JW Marriott Las Vegas has submitted evidence to prove the above true utilizing the services and expertise of "Life Saving Measures LLC" based in Las Vegas Nevada. "Life Saving Measures LLC" operates a certified and highly locally reputable Lifeguard staffing and certification operation used by most major hotels in the Las Vegas area.

The request for variance is not based on economic factors but rather adherence to newly approved regulations set forth by the Southern Nevada Health District in regard to Aquatic Facilities. With the approval of the submitted 2019 Lifeguarding Plan we ensure that safety is at the forefront for our guests while successfully maintaining the facilities and regulations set forth by the Health District previously burdensome with the 2018 plan.

With the reduction of Life Guards on the deck during occupancies of 75 guests or more we will be to further create a clean and safer facility for all of our associates and guests while maintaining a safe environment for our bathers.

The granting of this variance will not in any way pose a danger to the public health and safety of all of our guests. The 2019 Pool Season will see an expanded in-service training program with nationally accredited Red Cross certified instructors conducting the training on a scheduled basis. In accordance to the Health Department regulation, multiple random audits will be conducted by third party entities ensuring that the JW Marriott Las Vegas Aquatic Center remains in compliance to approved 2019 Lifeguard Plan.

The JW Marriott Las Vegas is committed to the health, safety and enjoyment of our facilities to all of our guests. We strive to provide the best overall experience for our guests by having well trained and well-mannered Lifeguards, secure facilities and an ongoing training program to ensure knowledgeable and highly responsive Lifeguards.

We hope that with the approval of the newly presented 2019 Lifeguard plan, we can give our guests a top notch experience while ensuring the health and safety of all guests, local and from around the World.

Thank you for your time and consideration in this variance request. Please contact me if you need additional information regarding this matter.

Sincerely,



Adil Kanji  
Manager, Pool Operations  
JW Marriott Las Vegas

# ATTACHMENT

C



VARIANCE CANDIDATE WORKSHEET

PART I:

ESTABLISHMENT INFORMATION

Name of Facility/Establishment: JW Marriott Main Pool
Health Permit Number: PR 0013737 Date of Inquiry:
Name of Operator/Agent: Louis Capone
Address of Operator/Agent: 221 N. Rampart Blvd Las Vegas, NV 89145
Contact Information of Operator/Agent:
Office Phone: 702-869-7401 Cell Phone: 702-415-5505
Fax Number: 702-869-7449 Email Address: Louis.Capone@jwmarriottlv.com
If corporation, the name/title of individual to sign for Variance document:
Name:
Title:

OWNER INFORMATION

Name of Property Owner: Hotspur Resort Nevada Ltd
Address of Property Owner: 221 N. Rampart Blvd. LV. NV 89145
Contact Information of Property Owner: Louis Capone
Office Phone: same as above Cell Phone: same as above
Fax Number: same as above Email Address: same as above

PROPERTY INFORMATION

Property Address:
Assessor's Parcel Number (APN):
Describe location within larger facility (i.e. hotel/casino/resort, etc.):
Pool is located inside of the JW Marriott Hotel and Resort.
Edge of pool is along Canyon Run Road and is central
on hotel property. Pool is outdoor

Describe Variance Issue (s): (Include sections of the Regulation or Nevada Administrative Code that applies to the request for a variance)

11-301.3 section A. 11-303.2 A, B, C

## VARIANCE WORKSHEET ANSWERS

1. **There must be circumstances or conditions which are unique to the applicant, and do not generally affect other persons subject to the regulation.**

The JW Marriott Las Vegas seeks a variance to allow the Hotels Aquatic Center to submit a staffing and operating plan for the 2019 Pool Season based on the newly approved Aquatic Facilities regulations approved June 9<sup>th</sup> 2018. We would like to operate based on the 4-303.2 (A) code which states:

**“At least one LIFEGUARD shall be required for every 2000 square feet or major fraction thereof, unless an independent lifeguard auditing entity provides documentation validating that the proposed number of LIFEGUARDS will meet all of the requirements outlined in this section. A minimum of three (3) unannounced audits must be conducted by the auditing entity each season with copies provided to and available for review by the HEALTH AUTHORITY”**

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2. The LIFEGUARD is able to reach the furthest extent of the assigned zone of BATHER surveillance within 20 seconds;
3. The ability to identify whether the LIFEGUARD is in an elevated stand, walking, in-water and/or other APPROVED position;

The JW Marriott Las Vegas has submitted evidence to prove the above true utilizing the services and expertise of “Life Saving Measures LLC” based in Las Vegas Nevada. “Life Saving Measures LLC” operates a certified and highly locally reputable Lifeguard staffing and certification operation used by most major hotels in the Las Vegas area.

- 2. There must be circumstances or conditions which make compliance with the regulation unduly burdensome and cause a hardship to and abridge a substantial property right of the applicant, and the variance is necessary to render substantial justice to and preserve the property rights of the applicant.**

The request for variance is not based on economic factors but rather adherence to newly approved regulations set forth by the Southern Nevada Health District in regard to Aquatic Facilities. With the approval of the submitted 2019 Lifeguarding Plan we ensure that safety is at the forefront for our guests while successfully maintaining the facilities and regulations set forth by the Health District previously burdensome with the 2018 plan.

With the reduction of Life Guards on the deck during occupancies of 75 guests or more we will be to further create a clean and safer facility for all of our associates and guests while maintaining a safe environment for our bathers

- 3. Granting the variance will not be detrimental or pose a danger to the public health and safety.**

The granting of this variance will not in any way pose a danger to the public health and safety of all of our guests. The JW Marriott Las Vegas is committed to the health, safety and enjoyment of our facilities to all of our guests. We strive to provide the best overall experience for our guests by having well trained and well-mannered Lifeguards, secure facilities and an ongoing training program to ensure knowledgeable and highly responsive Lifeguards.

The 2019 Pool Season will see an expanded in-service training program with nationally accredited Red Cross certified instructors conducting the training on a scheduled basis. In accordance to the Health Department regulation, multiple random audits will be conducted by third party entities ensuring that the JW Marriott Las Vegas Aquatic Center remains in compliance to approved 2019 Lifeguard Plan.



ATTACHMENT

D

<b>GENERAL INFORMATION</b>	
<b>PARCEL NO.</b>	138-29-401-011
<b>OWNER AND MAILING ADDRESS</b>	HOTSPUR RESORTS NEVADA LTD 221 N RAMPART BLVD LAS VEGAS NV 89145
<b>LOCATION ADDRESS CITY/UNINCORPORATED TOWN</b>	221 N RAMPART BLVD LAS VEGAS
<b>ASSESSOR DESCRIPTION</b>	PARCEL MAP FILE 115 PAGE 34 LOT 1
<b>RECORDED DOCUMENT NO.</b>	* 20050404:02493
<b>RECORDED DATE</b>	Apr 4 2005
<b>VESTING</b>	NS
<b>COMMENTS</b>	.06A VAC 20081008:895

\*Note: Only documents from September 15, 1999 through present are available for viewing.

<b>ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT</b>	
<b>TAX DISTRICT</b>	200
<b>APPRAISAL YEAR</b>	2018
<b>FISCAL YEAR</b>	2019-20
<b>SUPPLEMENTAL IMPROVEMENT VALUE</b>	0
<b>INCREMENTAL LAND</b>	0
<b>INCREMENTAL IMPROVEMENTS</b>	0

<b>REAL PROPERTY ASSESSED VALUE</b>		
<b>FISCAL YEAR</b>	2018-19	2019-20
<b>LAND</b>	11279217	11888904
<b>IMPROVEMENTS</b>	52273680	52790941
<b>PERSONAL PROPERTY</b>	0	0
<b>EXEMPT</b>	0	0
<b>GROSS ASSESSED (SUBTOTAL)</b>	63552896	64679846
<b>TAXABLE LAND+IMP (SUBTOTAL)</b>	181579703	184799560
<b>COMMON ELEMENT ALLOCATION ASSD</b>	0	0
<b>TOTAL ASSESSED VALUE</b>	63552896	64679846

<b>TOTAL TAXABLE VALUE</b>	181579703	184799560
----------------------------	-----------	-----------

<b>ESTIMATED LOT SIZE AND APPRAISAL INFORMATION</b>	
<b>ESTIMATED SIZE</b>	39.99 Acres
<b>ORIGINAL CONST. YEAR</b>	1999
<b>LAST SALE PRICE MONTH/YEAR SALE TYPE</b>	0
<b>LAND USE</b>	42.310 - Casino or Hotel Casino. Hotels - Class 1 Resort
<b>DWELLING UNITS</b>	572

<b>PRIMARY RESIDENTIAL STRUCTURE</b>				
<b>1ST FLOOR SQ. FT.</b>	0	<b>CASITA SQ. FT.</b>	0	<b>ADDN/CONV</b>
<b>2ND FLOOR SQ. FT.</b>	0	<b>CARPORT SQ. FT.</b>	0	<b>POOL</b>
<b>3RD FLOOR SQ. FT.</b>	0	<b>STYLE</b>	Casino, Category I	<b>SPA</b>
<b>UNFINISHED BASEMENT SQ. FT.</b>	0	<b>BEDROOMS</b>	0	<b>TYPE OF CONST</b>
<b>FINISHED BASEMENT SQ. FT.</b>	0	<b>BATHROOMS</b>	0	<b>ROOF TYPE</b>
<b>BASEMENT GARAGE SQ. FT.</b>	0	<b>FIREPLACE</b>	0	
<b>TOTAL GARAGE SQ. FT.</b>	0			

ATTACHMENT

E

**ASSESSOR'S PARCELS - CLARK CO., NV.**  
**Michèle W. Shafer - Assessor**

T20S R60E

29

S 2 SW 4

138-29-4



1	2	3	4	5	6	7	8
9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32
33	34	35	36	37	38	39	40

127	126	125	124
136	137	138	139
145	144	143	142
174	175	176	177

- Scale: 1" = 200'
- Rev: 02/09/2011
- CONDOMINIUM UNIT
  - 001 PARCEL NUMBER
  - 002 ACRES
  - 003 ROAD PARCEL NUMBER
  - 004 AIR SPACE PCL
  - 005 RIGHT OF WAY PCL
  - 006 SUB-SURFACE PCL
  - 007 ROAD PARCEL NUMBER
  - 008 AIR SPACE PCL
  - 009 RIGHT OF WAY PCL
  - 010 SUB-SURFACE PCL
  - 011 ROAD PARCEL NUMBER
  - 012 ACRES
  - 013 ROAD PARCEL NUMBER
  - 014 AIR SPACE PCL
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  - 037 ROAD PARCEL NUMBER
  - 038 AIR SPACE PCL
  - 039 RIGHT OF WAY PCL
  - 040 SUB-SURFACE PCL

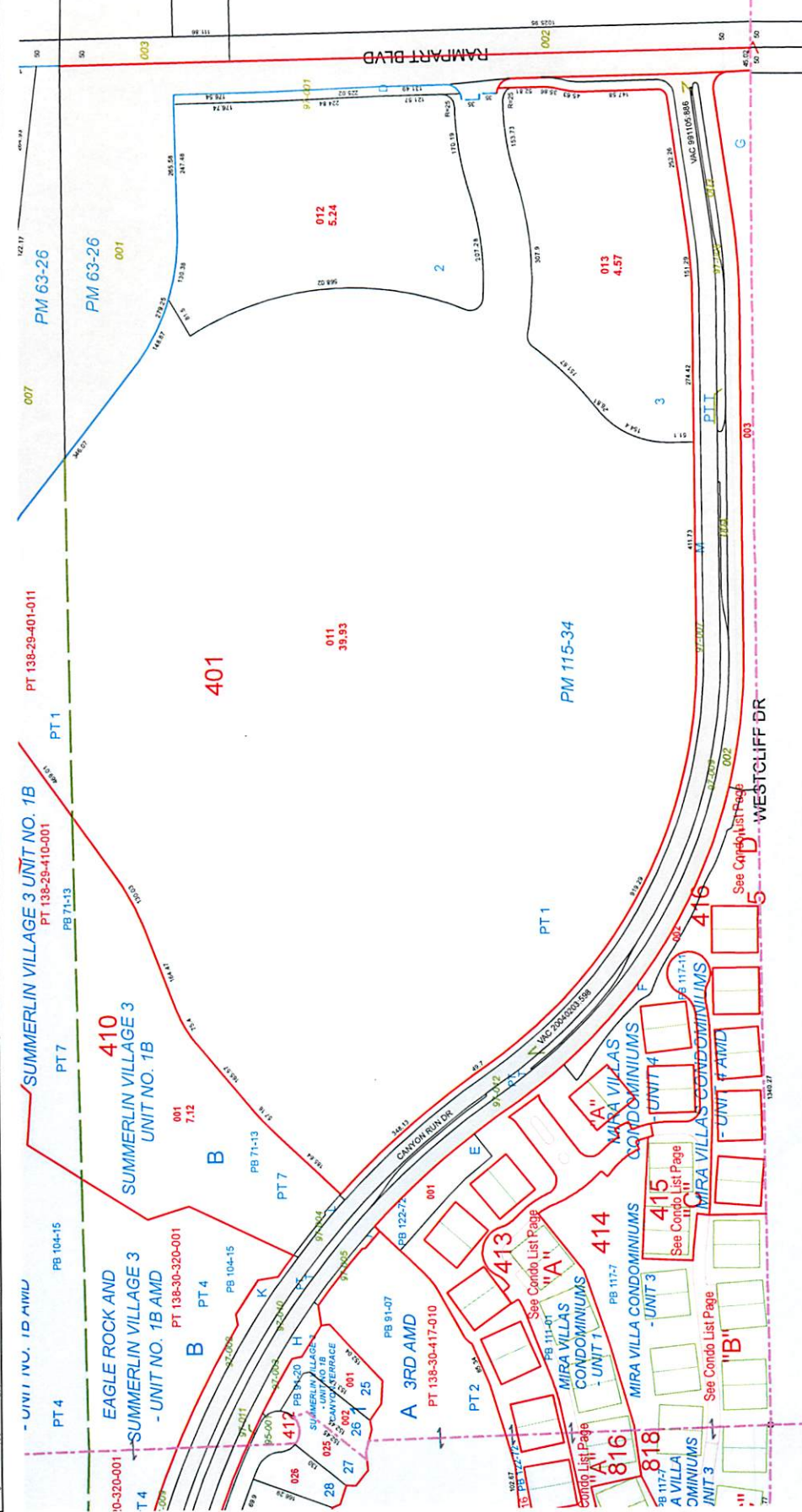
**NOTES**

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE FEET WHEN MAP REDUCED FROM TEXT ORIGINAL

MAP LEGEND



TAX DIST 200

# ATTACHMENT

F

**Lifeguard, Communication and Safety**  
**Plan of Action-2019**

**LIFEGUARDS (4) During Regular Aquatic Operation**

- Lifeguards will be on a half hour to an hour rotation
- Lifeguards will be moving between Lifeguard towers #1-3 and Roving station #4 (The Waterfall Section) with a Roam rotation in between designated by the Lifeguard Rotation Sheet
- #4 "The Waterfall station" is a roving station to observe guests in Waterfall area and kids area of the pool.
- Before the lifeguards 5th hour on shift, Lifeguards will then take their designated breaks.
- Lifeguards returning from breaks will continue their rotations outlined on their Lifeguard Rotation Sheet

**LIFEGUARDS (3) During Times of Section Closure**

- Lifeguards will be on a half hour to an hour rotation
- Lifeguards will be moving between Lifeguard towers #1, 2 and Roving 4 with a Roam rotation in between designated by the Lifeguard Rotation Sheet
- Before the lifeguards 5th hour on shift, Lifeguards will then take their designated breaks.
- Lifeguards returning from breaks will continue their rotations outlined on their Lifeguard Rotation Sheet

**LIFEGUARD ROTATION PROCEDURE**

The incoming lifeguard takes a position next to the stand and observes the zone of responsibility for that stand. When the incoming lifeguard has scanned the area and is aware of the ongoing activity, the new lifeguard signals the lifeguard in the stand, who can then climb down.

Once on the deck, the outgoing lifeguard takes a position next to the stand and scans the area, then signals the incoming lifeguard to get up in the stand. Once the new lifeguard is in the stand, the new

lifeguard then tells the outgoing lifeguard "you can leave". All conversation should be kept to a minimum and visual field should remain on the zone of responsibility during the rotation.

### **Training Procedures:**

- In lifeguard orientation we go over first aid, lightning, pool bio-hazard fecal, diarrhea. Please see lifeguard safety orientation sheet.

### **3 Lifeguards positioned close together:**

- In Lifeguard Plan for 4 guards- Tower 1, 2, 3 is displayed. Standing #4 Roving Path is designated near waterfall. You will note that Tower 1, 2 and roving path 4 is close together, this is the shallow area of the where we get most of our kid's activity and the rowdier area of the pool. The #4 guard is walking back and forth between waterfall and in the kiddie area as designated by the path outlined in the diagram. All areas of the pool are visually and physically accessible within 20 seconds by Tower 1,2,3 with the 4<sup>th</sup> station added as extra coverage in area most populated by guests during high occupancy times.

### **Pool closed for private event:**

- When the pool is closed for a private event, we have 1 lifeguard in chair. Guests are not permitted in the pool during these events. Security needs are assessed by event type. In the event that swimming is permitted, normal lifeguard levels are to be instituted.

### **Closed off when there are less than required LG on duty:**

- When an area is close off (See Attached Map) - we will rope off pool area and stanchions will be place at the entrances to this area of the pool stating that this pool area is closed. Pool Management will ensure that no guests enter through that side of



the pool by surveilling the area. Guards will be instructed to alert Management with a 2 whistle response if a guest is seen entering the pool from a closed location. When a guest is found in the section of the pool that is closed, a lifeguard or a pool manager will approach the guest and explain that the section is closed. The associate will then urge the guest to swim in the open section of the pool.

### **Waterfall area:**

- Current placement of Tower 1 and roving 4 provide clear view of this area.

### **Communication**

When there is an emergency, lead lifeguard will call Pool Manager and Security right away. Then they will assessed situation and call 911 if needed

- Lifeguards communicate by whistle blows
  1. One short whistle-Rule violation
  2. Two short whistle-communication between lifeguards
  3. One Long whistle- Clear pool deck, back up is needed, other guards to bring backboard, first aid kit, and towels to emergency location.
  4. Two long whistle, tube horizontal over head- Clear pool, body fluid contamination, assistance needed

### **Safety**

When there is an emergency, lead lifeguard will call Pool Manager and Security right away. Then they will assessed situation and call 911 if needed, and/or make decision to close pool for guest safety.



## **Audits / Inservice Training**

In a continued effort for education and the safety of our guests, we will conduct monthly in-service trainings. On the third Sunday of every month, a mandatory training will be conducted to test the associates knowledge as well as re-educate the associates on our Emergency Response Procedures to ensure a quick and accurate response if an emergency was to arise. A refresh quiz will be administered after the trainings to test the retention of knowledge

In collaboration with "Lifeguard Staffing", a local lifeguard training and certification entity, 3 un-announced audits will be conducted. They will come out to assess the effectiveness and follow through on our lifeguarding plan approved by the Southern Nevada Health District. We will also utilize their services for instructor-led Inservice trainings conducted during our regularly scheduled trainings during the months of March, May, July, and September.

**INCLEMENT WEATHER POLICY** - It is the responsibility of the Pool Manager, Assistant Manager or Lead Lifeguard to determine whether to open or close the pool due to inclement weather. The public's health and safety are the only considerations in making this determination.

### **Lightening**

The pool will be CLEARED IMMEDIATELY if lightening is visible, thunder is heard, or if severe weather warnings are in effect. Patrons will be encouraged to seek shelter indoors. If lightening does not appear again within one half-hour, the pool may be reopened at the discretion of the pool manager.

### **Rain/Hale**

The pool may be closed during rain or hale if the lifeguards determine it is difficult for them to see the bottom of the pool or adequately perform their job. When weather conditions improve, the pool may be reopened. The manager or assistant manager will determine when conditions warrant reopening. All staff members scheduled must remain at the pool until the manager decides whether to re-open.

### **Windy Conditions**

Periodic wind gusts can also propose a safety hazard. The Lead Lifeguard will decide if precautions must be taken. Precautions include closing all umbrellas around the pool deck and lowering the back portion of the chaise lounge chairs so they cannot be blown into the water. The Lead Lifeguard will assess if other items or furniture need to be secured or removed.

### Power Outage

In the event of a power outage, emergency lights will maintain a degree of safety light at the facility. Lifeguards will clear the pool immediately, until lights are reactivated. Currently, we do not operate the pool at night and quickly close the facility when dusk approaches.

## BLOOD BORNE PATHOGENS & EXPOSURE CONTROL

All employees are responsible for:

- Using universal precautions in all situations that involve exposure to blood and other bodily fluids.
- Using Personal Protective Equipment – **this is a requirement**
- Any exposure to blood or bodily fluids must be reported to the Manager and Risk Management

Personal protective equipment should always be used to protect the employee from disease transmission (ie. Hepatitis B, Hepatitis C, HIV, etc) Some examples of personal protective equipment include: CPR Pocket Resuscitation Masks, Examination Gloves, Protection Gown & Cap, Goggles/Mask, biohazard bags. These items can be found in the First Aid kit or Managers office. Disinfecting wipes and hand sanitizer is also available to employees.

Gloves will be worn at all times that the employees may have contact with blood or other potentially infectious materials. Gloves will be worn in first aid situations as simple as application of a band aid. Gloves will be replaced if torn, punctured or contaminated. Gloves should be worn when picking up wet or used towels.

Appropriate face and eye protection will be worn when splashes, sprays, spatters or droplets of blood or other potentially infectious materials pose a hazard to the eye, nose or throat. These protection devices are located in the first aid kit.

All equipment and work surfaces that have been contaminated with blood or other potentially infectious materials will be cleaned and decontaminated with an appropriate disinfectant. A brush and dust pan will always be used to pick up and dispose of contaminated broken glass.

**\*Hand Washing after glove removal is required.** Hands will be washed for 20-30 seconds using warm water and soap then dried with paper towel. Hand sanitizer can also be used until hands can be washed properly but this does not replace good hand washing.



## **EMERGENCY SITUATIONS : Minor Injury**

A minor injury is defined as a small laceration, abrasion, puncture, with minimal bleeding, etc.

### **STEPS**

1. Lifeguard will blow whistle and activate the Emergency Action Plan
2. Second lifeguard will provide back-up zone coverage.
3. Lifeguard will assess the situation severity and apply appropriate PPE
4. Pool Manager on Duty is notified and brings First Aid Kit /or any supplies needed.
5. Victim is contacted and emergency care is provided.
  
6. Accident / Incident report is completed
7. If a spill or contamination on deck occurs, a spill kit is used for decontamination.
7. All Equipment is returned to appropriate area after cleaning.
8. Lifeguard(s) returns to duty.

## **EMERGENCY SITUATION: Major injury**

A major injury is defined as a large laceration, abrasion, puncture, avulsion, with moderate bleeding.

### **STEPS**

1. Lifeguard will blow whistle and activate the Emergency Action Plan
2. Second lifeguard will provide back-up zone coverage.
3. Lead Lifeguard will call Security, and Pool Manager.
4. Pool Manager will call EMS and bring First Aid Kit / and any needed supplies.
5. Situation is assessed by all parties, PPE is applied, and emergency care is provided
6. Victim is removed from pool area and placed in the care of EMS personnel.
7. Accident / Incident report is completed

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**LAS VEGAS RESORT & SPA**



8. If a spill or contamination on deck occurs, a spill kit is used for decontamination.
9. All Equipment is returned to appropriate area after cleaning
10. Lifeguard(s) returns to duty.

**EMERGENCY SITUATION: Water Rescue**

1. Lifeguard will blow whistle to activate the Emergency Action Plan, points to victim
2. Second lifeguard will provide back-up zone coverage
3. Lifeguard enters the water with appropriate entry
4. Approaches victim, when close talking to victim, reassuring victim (if applicable)
  
5. Rescues victim and takes victim to side of pool for extrication
6. Follows American Red Cross extrication or back boarding procedures
7. Lead Lifeguard will call Security, and Pool Manager.
8. Pool Manager will call EMS (if needed) and bring First Aid Kit/AED / and any needed supplies.
9. Situation is assessed by all parties, including Primary Assessment for life threatening problems
10. PPE is applied, and emergency care is provided (including CPR if needed)
  
11. Victim is removed from pool area and placed in the care of EMS personnel.
12. Accident / Incident report is completed
13. If a spill or contamination on deck occurs, a spill kit is used for decontamination.
14. All Equipment is returned to appropriate area after cleaning
15. Lifeguard(s) returns to duty.

**CALLING EMS – 911**

Give the Dispatcher the necessary information and answer any of the dispatcher's questions such:

- Location Address
- Number from which the call is made

---

[Date]



- Caller's name
- What happened
- How many injured
- Condition of the victim
- Care being given
- Describe who will meet the arriving EMS and where.
- Do not hang up until the dispatcher hangs up.

## **ACCIDENT /INCIDENT REPORTS**

If an injury occurs on the premises, even if the injury is minor, an accident/ incident report must be completed. Incident Reports must be completed by the Supervisor on duty or Lead Lifeguard. Incidents are those events, which, fall outside of normal operations of pool facility. All events must be brought to the attention of the immediate supervisor as quickly as possible.

Events such as thefts, abusive language directed towards a patron or staff member, threats, fights, or vandalism should be reported to security immediately.

### **Reporting Procedures:**

Respond to the incident or accident.

Provide the necessary rescue or first aid care.

Notify the Manager on Duty

Fill-out the accident or incident report completely and accurately. This process should be complete within 24 hours following the accident. Keep it factual and use quotation whenever possible.

Place the report on the Manager's desk.

## **BIOHAZARD PLAN**

**AFR – Fecal Accident**

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When responding to FECAL ACCIDENT the lifeguard should immediately direct everyone to exit the pool. Contact the pool Manager or Assistant Manager once the pool is cleared. The lifeguard should remain in the pool area, preventing anyone from entering the water. Management will notify the Certified Pool Operator. No one will be allowed to enter the pool until decontamination procedures are completed and acceptable water quality standards are met.

## **Gate Operational**

Manager to check automatic gates on a daily basis, if gate does not automatically close, they will report to engineering to do a immediately repair

## **Lifeguard certification:**

- All certifications are in Human Resources and the towel hut

## **CABANA ATTENDANTS**

**Cabana attendants will follow a pattern of:**

- Pre-setting all Cabanas rented for the day as well as one display Cabana
- These cabanas must be checked on every hour for cleanliness, towels, water etc....
- The rotation is starting at Cabana #1 and proceed to cabana #2 all the way to cabana #12
- Cabana attendant is lifeguard certified

## **TOWEL ATTENDANTS**

- A Towel Hut attendant **MUST** be present at all times in the Towel Hut
- All towels to be stocked, folded and made ready for the guests
- Towel Hut Attendants are responsible for all towel clean up, due to health code regulations please use disposable gloves when picking up all wet used towels
- Towel attendant is lifeguard certified

## **BARTENDER, FOOD SERVERS, RUNNERS**

- Only serve food and beverage to guests.

# JW MARRIOTT.

## LAS VEGAS RESORT & SPA



### LIFEGUARD RESPONSIBILITIES

**LIFEGUARD BEHAVIOR** -Lifeguards are expected to present themselves in a mature, responsible manner. Our patrons constantly critique us by what they see and hear. Posture, facial expressions, body language, and communication styles must be presented in a professional manner. Lifeguards need to always be attentive and ready to respond to an emergency. If a particular staff member is negatively affecting the pool operations, the issue should be taken to the Pool Manager or Assistant Manager. Constructive communication among the staff is very important.

### **EXPECTATIONS OF LIFEGUARDS**

1. Arrive for work at least 15 minutes before scheduled opening or sufficiently long enough before shift change to make an orderly transition possible.
2. When on guard duty, be in assigned area at least two minutes prior to start time, keep eyes on assigned area or zone of surveillance at all times. No cell phones, music or other electronic devices are allowed.
3. Proper attire is required to identify you as the lifeguard. Your uniform will consist of a swimsuit, a whistle, lifeguard tee shirt and a hat or visor (optional). Jewelry such as earrings, bracelets, watches, necklaces, chains, shall **not** be worn when on duty because they can cause injury to the lifeguard or the victim during a rescue. Long hair should be tied back or secured.
4. Behavior must, at all times, reflect a professional attitude and a respect for the facility and the patrons.
5. Conversations with patrons, except in relation to the job at hand, will not be allowed.
6. Inspect all pool equipment upon arrival and report any safety concerns to the manager on duty.
7. Enforce the pool rules and regulations to ensure the safety of our patrons
8. Help with all opening, cleaning and closing duties as assigned by the Pool Manager or Head Lifeguard. Leave the facility only when dismissed by the Pool Manager or Assistant Manager.
9. Fill out Incident Reports for all rescues and First Aid provided.
10. Check the shift assignment schedule regularly. Inform the Pool Manager, Assistant Manager or Lead Lifeguard well in advance of times you will be unavailable for duties or running late for your shift.

### **CLOSING PROCEDURES**



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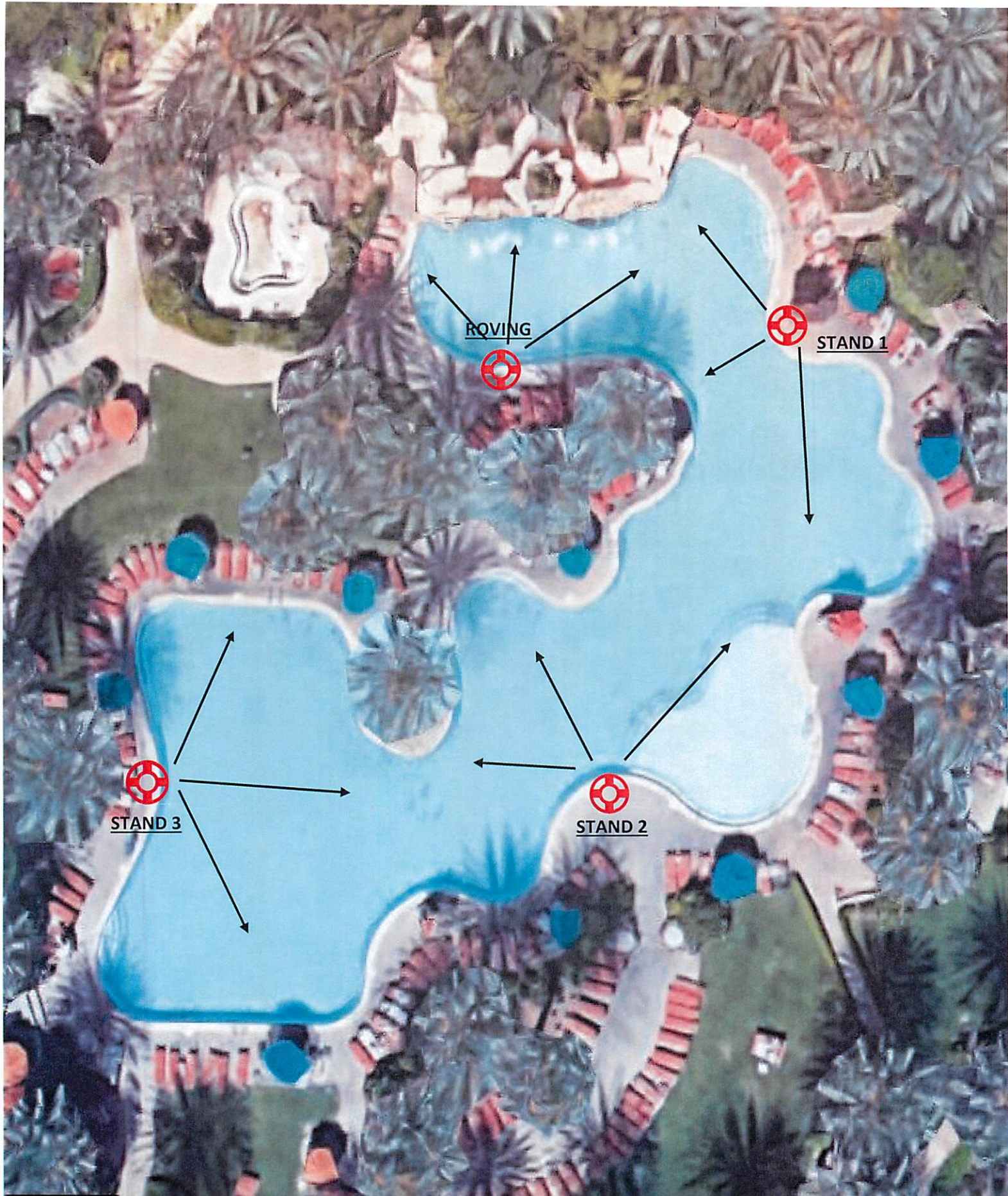


When the pool is about to close, lifeguards should check the pool area to insure that there are no bathers left, put all safety equipment back in its appropriate place, and close all exit/entrance doors to the facility. Gates should all be locked. Make sure the facility supervisor or security is aware of the closure.

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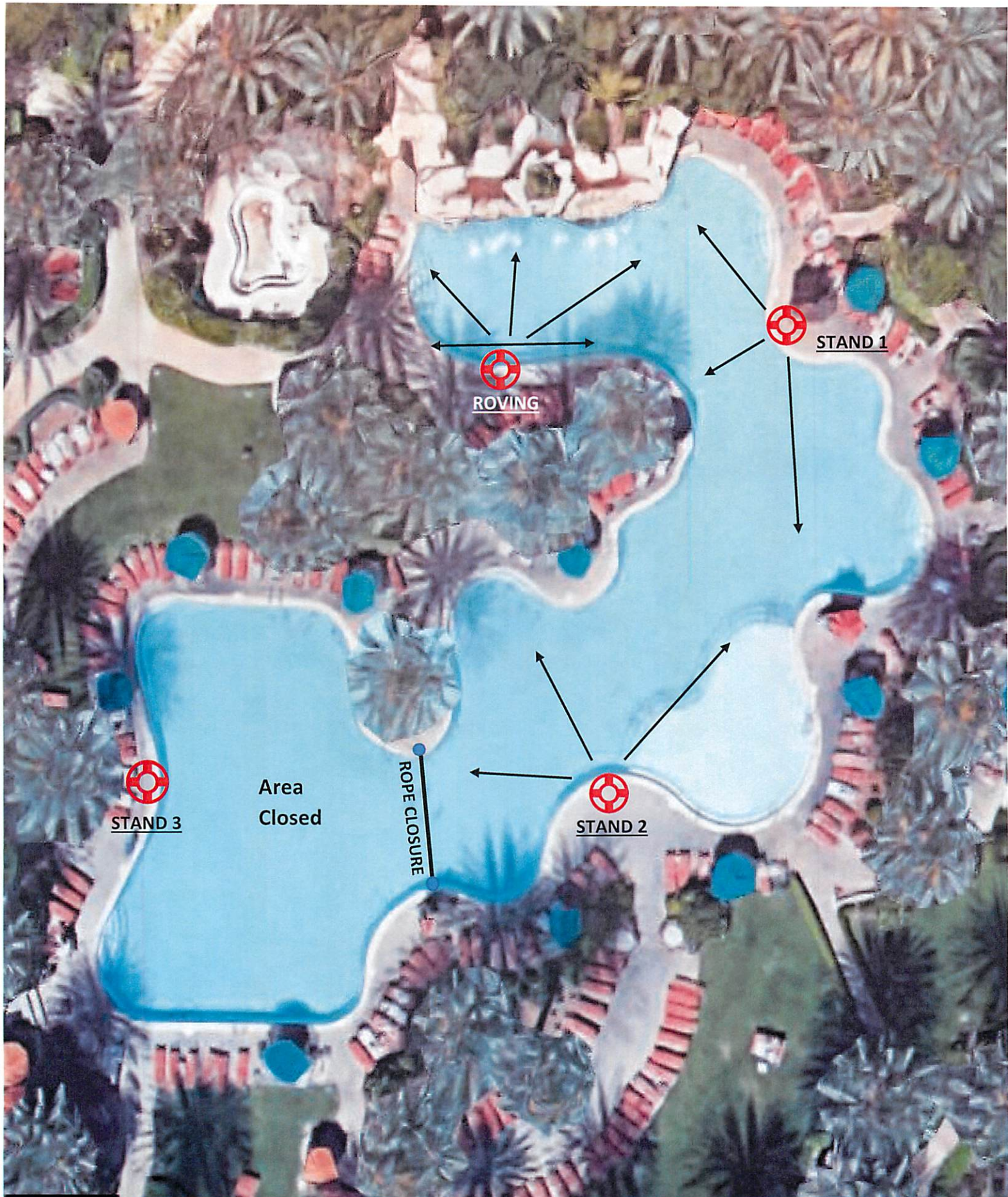
[Date]

## 4 Stand Floor Plan





### 3 Stand Floor Plan: Section Closure







Life Saving Measures LLC  
Lifeguardstaff@gmail.com  
(702) 885.1850  
Lifegaurdstaff.com

Life Saving Measures LLC d/b/a Lifeguard Staff is an American Red Cross licensed training provider. We have taught lifeguard certification classes in Las Vegas and Henderson, Nevada, since 2014. We hold business licenses in Las Vegas, Henderson and Clark County Nevada. In September of 2018, The JW Marriott (also called Rampart Casino) asked us to come and evaluate their lifeguard stands, zone of surveillance and time it take to perform a rescue at the farthest point in the zone.

On October 20, 2018, we met with Adil Kanji, the pool manager, at the JW Marriott hotel. We discussed the Southern Nevada Health District new aquatic regulation and some of the new requirements going into effect in July 2019. We also evaluated the view from each lifeguard stand making sure they were elevated enough to see over patrons walking on the deck. We found each chair had a clear view of the surveillance zone, and that each lifeguard chair had an umbrella shade. Most of the zones of surveillance, which are adjacent to each other, overlap so each lifeguard has the ability to visualize the adjacent zone.

**Lifeguard Chair #1** overlaps with zone #4 and zone #2

**Lifeguard Chair #2** overlaps with zone #1 and zone #3

**Lifeguard Chair #3** overlaps with zone #2

- Lifeguard Chair #3 cannot see zone #4 due to some trees, shrubs and the shape of the pool

**Lifeguard Chair/Lifeguard Rover #4** overlaps with zone #1

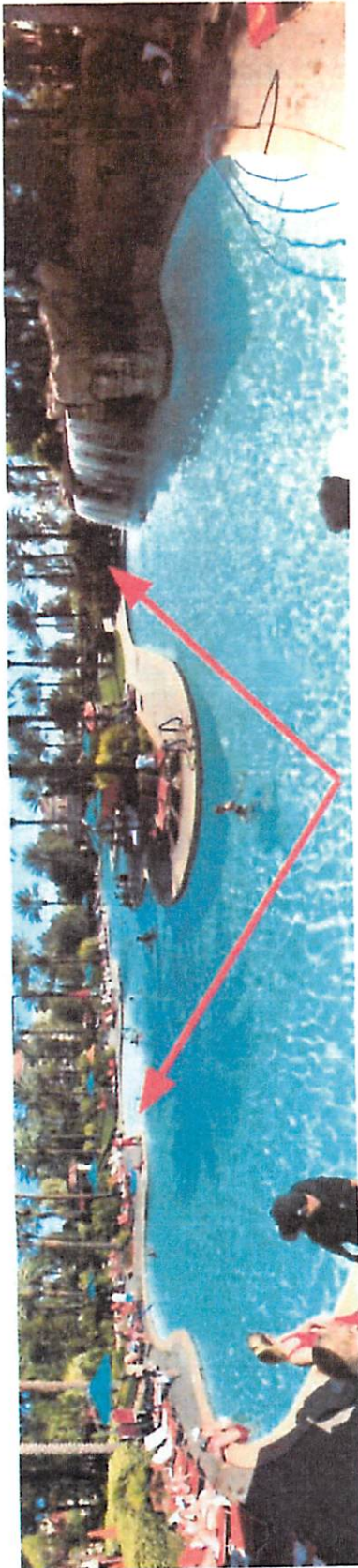
- Lifeguard Chair/Lifeguard Rover #4 cannot see zone #3 due to some trees, shrubs and the shape of the pool

In addition, we brought a certified American Red Cross Lifeguard, Lexi Hagen, who is employed at the Whitney Ranch Aquatic Facility in Henderson. We ask Lexi to test how long it would take for a lifeguard to reach the farthest point in the zone. We picked 2 points from each lifeguard chair for her to swim towards, using a 40" red rescue tube. Majd Aboona, one of the instructors from Lifeguard Staff was there to time Lexi with a stopwatch. **The lifeguard was able to reach the farthest point of the zone each time, in less than 20 seconds. (MAHC suggests 30 seconds)**

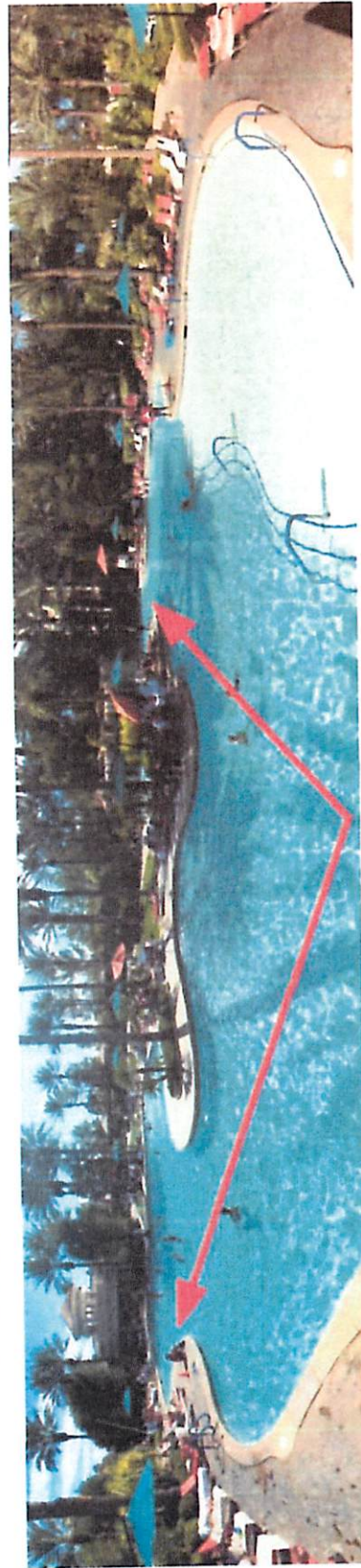
The following pictures show the view from each lifeguard chair:



Lifeguard Chair #1: Our certified lifeguard reached the farthest point on the left in 14 seconds and on the right in 19 seconds.

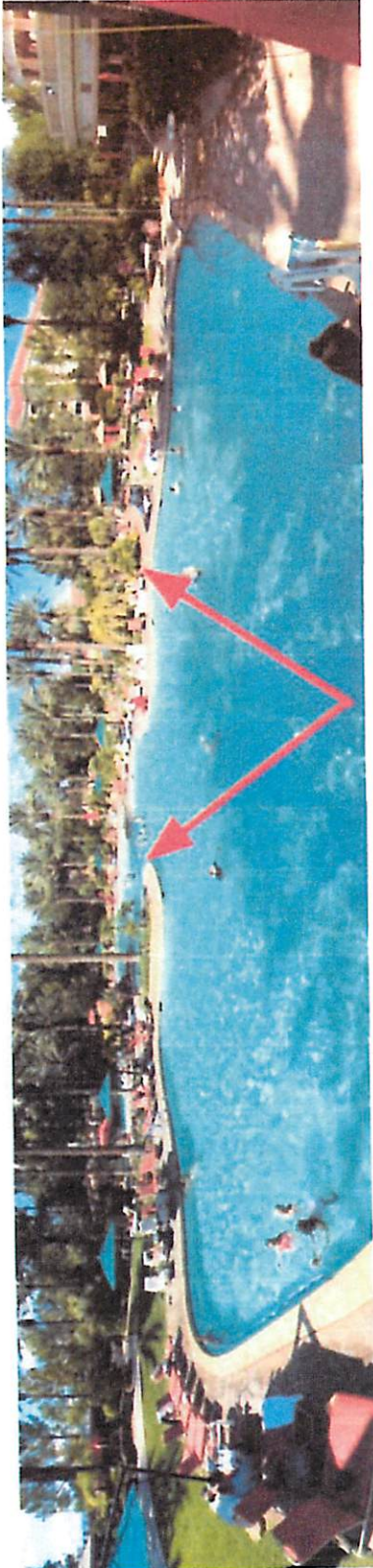


Lifeguard Chair #2: Our certified lifeguard reached the farthest point on the left in 14 seconds and on the right in 15 seconds.

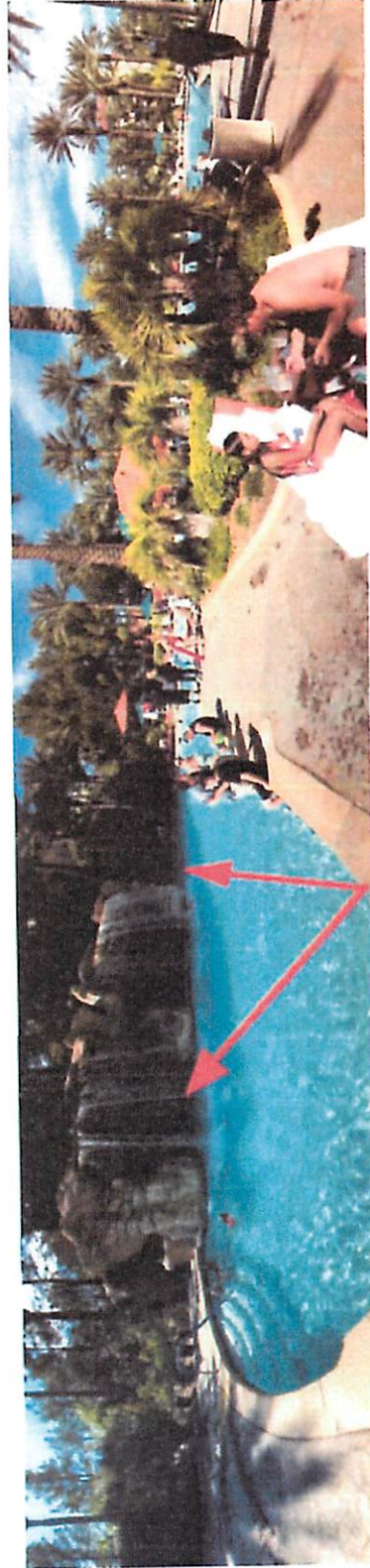




Lifeguard Chair #3: Our certified lifeguard reached the farthest point on the left in 15 seconds and on the right in 17 seconds

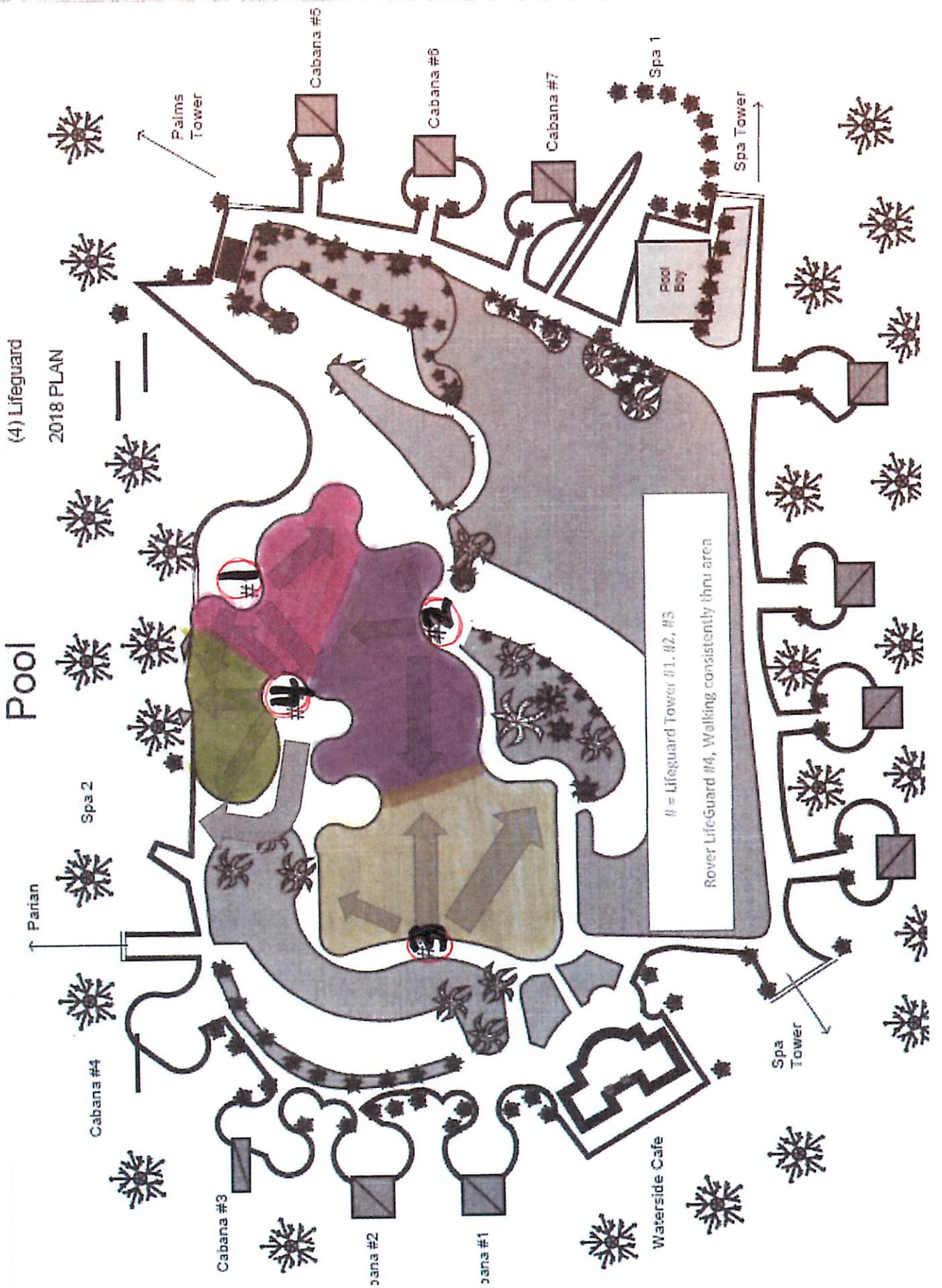


Lifeguard Chair #4: Our certified lifeguard reached the farthest point on the left in 13 seconds and on the right in 15 seconds





# Zones of Surveillance





Life Saving Measures LLC  
Lifeguardstaff@gmail.com  
(702) 885.1850  
Lifegaurdstaff.com

Each of the zones in this staffing plan has been evaluated, measured and tested for time. The following guidelines were used as guidance:

- the qualified lifeguard is capable of viewing the entire area of the assigned zone of patron surveillance.
- the qualified lifeguard is able to reach the farthest point of the zone within 20 seconds
- Zones #1, #2, #3 are elevated lifeguard chairs. Zone #4 is a walking on deck area.

This assessment of the JW Marriott hotel (Rampart Casino) pool or aquatic facility including colored zones of surveillance, and swim time to the farthest point is accurate to the best of my ability.

If you have any additional question, please do not hesitate to contact us.

Thank You,

*Ruth Cumbers*

Ruth Cumbers, owner

Date: 10-29-18

Lifeguard Staff

702-885-1850

Lifeguardstaff@gmail.com



ATTACHMENT

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## PUBLIC NOTICE

The Southern Nevada Health District Board of Health will conduct a PUBLIC HEARING on January 24, 2019, at 8:30 a.m. during its monthly meeting held at 280 South Decatur Boulevard, Las Vegas, NV 89107, to approve or deny a variance request to operate a public bathing place not in compliance for Hotspur Resorts Nevada LTD, DBA JW Marriott, located at 221 North Rampart Blvd., Las Vegas, Nevada 89145, APN 138-29-401-011. Note, if this application is not presented at the January 24, 2019 meeting, it will be presented at the February 28, 2019 meeting.

The variance request is made to allow the Petitioner to operate an aquatic venue not in accordance with the Nevada Administrative Code (NAC) 444 Public Bathing Places and Public Spas: NAC 444.132 Chairs for Lifeguards – Number of lifeguards provided.

Interested persons may appear at the public hearing and present their views thereon. Written comments will also be considered by the Southern Nevada Health District Board of Health and must be forwarded to Jeremy Harper, Environmental Health Supervisor for the Aquatic Health Program, Southern Nevada Health District, P.O. Box 3902, Las Vegas, Nevada 89127-3902, or via email at harper@snhd.org, no later than January 23, 2019. The variance application request is available for review at the Southern Nevada Health District, Environmental Health Division, 333 N Rancho Drive, Las Vegas, NV 89106.

If there are special viewing needs, please contact Bonnie Archie at (702) 759-0572 or archie@snhd.org to schedule an appointment to review the permit application during normal business hours of 8:00 a.m. to 4:00 p.m. Copies of the documents may be requested during that time for \$1.00 per page.

S  
Christopher Saxton, Environmental Health Director  
Southern Nevada Health District

1/7/2019  
Date