

1 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS,
2 NEVADA, CONSENTING TO CERTAIN UNDERTAKINGS OF THE
3 DOWNTOWN LAS VEGAS REDEVELOPMENT AGENCY IN
4 CONNECTION WITH THE OWNER PARTICIPATION
5 AGREEMENT WITH BLACKHAWK ENTERPRISES, INC.

6 WHEREAS, the City of Las Vegas Downtown Redevelopment
7 Agency (the "Agency") is carrying out the Redevelopment Plan (the
8 "Redevelopment Plan") for the Downtown Las Vegas Redevelopment
9 Area (the "Redevelopment Area") adopted by the City Council of
10 the City of Las Vegas (the "City Council") on March 5, 1986, by
11 Ordinance No. 3218 and amended on February 3, 1988, by Ordinance
12 No. 3339; and

13 WHEREAS, in implementation of the Redevelopment Plan,
14 the Agency approved and entered into that certain Owner
15 Participation Agreement ("Participation Agreement") by and
16 between the Agency and Blackhawk Enterprises, Inc. (the
17 "Developer"), dated January 11, 1990, which provides for the
18 rehabilitation and redevelopment of a portion of the
19 Redevelopment Area (the "Site") by the Developer; and

20 WHEREAS, pursuant to the Participation Agreement, the
21 Agency has agreed to pay a portion of the cost of constructing
22 certain public improvements in connection with the development of
23 the Site (the "Public Improvements"), including public sidewalks,
24 curbs and gutters, plazas and other pedestrian improvements
25 around the perimeter of the Site; and

26 WHEREAS, the Agency is authorized to construct or pay
27 for the construction of the Public Improvements without the con-
28 sent of the City Council pursuant to NRS Section 279.408 and
29 279.474, and Section 460.2 of the Redevelopment Plan; and

30 WHEREAS, NRS Section 279.486 and Section 470.1.3 of the
31 Redevelopment Plan also authorize the Agency, with the consent of
32 the City Council, to pay all or part of the value of the land for
and the cost of the construction of any building, facility,

1 structure or other improvement which is publicly or privately
2 owned and located within or without the Redevelopment Area,
3 except for a residential facility; and

4 WHEREAS, NRS Section 279.486 requires that before the
5 City Council gives its consent it shall determine that:

6 (a) The buildings, facilities, structures or other
7 improvements are of benefit to the Redevelopment Area or the
8 immediate neighborhood in which the Redevelopment Area is loca-
9 ted; and

10 (b) No other reasonable means of financing those
11 buildings, facilities, structures or other improvemetns are
12 available; and

13 WHEREAS, the City Council believes that NRS Section
14 279.408 and 279.474 and Section 460.2 of the Redevelopment Plan
15 authorize the Agency to construct or pay for the construction of
16 the Public Improvements without the consent of the City Council,
17 but nevertheless desires to give its consent in order to avoid
18 any doubts or questions concerning the Agency's authority to
19 carry out the Participation Agreement.

20 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS
21 VEGAS, NEVADA, DOES HEREBY RESOLVE AS FOLLOWS:

22 SECTION 1: The City Council hereby determines that:

23 (a) The Public Improvements are of benefit to the
24 Redevelopment Area and the immediate neighborhood in which the
25 Redevelopment Area is located; and

26 (b) No other reasonable means of financing the
27 Public Improvements are available.

28 SECTION 2: The City Council hereby consents to the
29 Agency paying a portion of the cost of construction of the Public
30 Improvements, as set forth in the Participation Agreement.

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THE FOREGOING RESOLUTION was approved this 2nd day of
May, 1990, by the following vote:

VOTING "AYE":	Councilmen <u>Bob Nolen, Steve Miller and Arnie Adamsen</u>
VOTING "NAY":	Councilman <u>Scott Higginson</u>
ABSENT:	<u>NONE</u>
ABSTAIN:	Mayor <u>Ron Lurie</u>

CITY OF LAS VEGAS

By 
BOB NOLEN, Mayor Pro Tem
OK 5-15-90 RAW

ATTEST:

By 
KATHLEEN M. TIGHE, City Clerk