

1 **RESOLUTION NO. R-20-2008**

2 **RESOLUTION REQUESTING A GRANT FROM THE LAS VEGAS CONVENTION**
3 **AND VISITORS AUTHORITY FOR THE PURPOSE OF MAKING CAPITAL**
4 **IMPROVEMENTS TO THE RECREATIONAL FACILITY KNOWN AS LAS VEGAS**
5 **SCULPTURE PARK, APPROVING THE COOPERATIVE AGREEMENT, AND**
6 **AUTHORIZING THE MAYOR TO EXECUTE ANY DOCUMENTS RELATED**
7 **THERE TO**

8 WHEREAS, the City of Las Vegas is in need of receiving additional funds for the
9 purpose of making capital improvements to a recreational facility known as Las Vegas Sculpture
10 Park located within the City; and

11 WHEREAS, the Las Vegas Convention and Visitors Authority is authorized pursuant to
12 the provisions of Chapter 244A of the Nevada Revised Statutes to make grants to incorporated
13 cities within the County for the purpose of making capital improvements to recreational facilities
14 which improve, extend and better the recreational facilities authorized pursuant to NRS
15 244A.597 to 244A.655, inclusive; and

16 WHEREAS, the City desires to apply to the Las Vegas Convention and Visitors
17 Authority for a grant in the total amount of Fifty Thousand Dollars (\$50,000) for the purpose of
18 making capital improvements to a recreational facility known as Las Vegas Sculpture Park
19 within the City, specifically improvements for artwork components which include, but are not
20 limited to, design and fabrication, engineering, assembly and installation and/or a portion of the
21 design and consulting fee to the artist for the Las Vegas Sculpture Park.

22 NOW, THEREFORE, the City Council of the City of Las Vegas, Nevada, does hereby
23 resolve as follows:

24 Section 1. The City Council hereby finds and declares that the City has a need of Fifty
25 Thousand Dollars (\$50,000) to make capital improvements to recreational facilities within the
26 City to improve, extend and better the recreational facilities authorized pursuant to NRS
27 244A.597 to 244A.655, inclusive, specifically improvements for the Las Vegas Sculpture Park.

28 Section 2. The City Council hereby approves a request of a grant of Fifty Thousand
Dollars (\$50,000) from the Las Vegas Convention and Visitors Authority and authorizes the

1 Mayor of the City of Las Vegas, or his authorized representative, to apply to the Las Vegas
2 Convention and Visitors Authority for a grant of funds in the amount of Fifty Thousand Dollars
3 (\$50,000) to be paid to the City of Las Vegas no later than July 1, 2008 unless extended as set
4 forth in the Cooperative Agreement between the City and Las Vegas Convention and Visitors
5 Authority.

6 Section 3. The Cooperative Agreement between the City and the Las Vegas Convention
7 and Visitors Authority, the form of which is hereby attached as Exhibit "A," is hereby approved
8 and the Mayor of the City of Las Vegas is hereby authorized to execute the Cooperative
9 Agreement and any documents related thereto.

10 Section 4. The City of Las Vegas will own the property where the Las Vegas Sculpture
11 Park is located for a minimum of ten (10) years from the date of this Resolution and will provide
12 management oversight with any entity working cooperatively with the Las Vegas Sculpture Park.

13 THE FOREGOING RESOLUTION was passed, adopted and approved this 16th day of
14 April 2008.

CITY OF LAS VEGAS

17 By: 
18 OSCAR B. GOODMAN, Mayor

19 ATTEST:

21 
22 Beverly K. Bridges, CMC, City Clerk

23 APPROVED AS TO FORM:

24  4/3/08
25 Date

EXHIBIT "A"
COOPERATIVE AGREEMENT

This Cooperative Agreement entered into as of the ____ day of _____, 2008, by and between the Las Vegas Convention and Visitors Authority (hereinafter "Authority"), and the City of Las Vegas, Nevada (hereinafter "City").

WITNESSETH:

WHEREAS, Authority is a local government agency and a political subdivision of the State of Nevada, authorized and directed by the provisions of the Nevada Revised Statutes (hereinafter "NRS") Sections 244A.597 et seq., which provides, among other prescribed functions, that the Authority can fund capital improvements to recreational facilities for the benefit of the public;

WHEREAS, the City is an incorporated City of the State of Nevada that provides for public recreational facilities for its inhabitants; and

WHEREAS, said City enacted Resolution R- _____, a copy of which is attached hereto and by this reference made a part hereof, requesting Authority to make a capital improvement grant of Fifty Thousand Dollars (\$50,000.00) for the purpose of making capital improvements to recreational facilities within the City and specifically improvements to the Las Vegas Sculpture Park; and

WHEREAS, Authority is authorized, but not required, pursuant to the provisions of NRS 244A.619(7) and NRS 244A.645(3) to make annual capital improvement grants to an incorporated city for constructing, improving or bettering recreational facilities as defined by the provisions of NRS 244A.597 within the incorporated city; and

WHEREAS, Authority has historical precedent for having made capital improvement grants to incorporated cities and the County of Clark, State of Nevada, for construction and improving or bettering recreational facilities within said incorporated cities of the County of Clark.

NOW, THEREFORE, it is mutually agreed as follows:

1. The Authority hereby ratifies and confirms the City's determination that the City is in need of a grant of Fifty Thousand Dollars (\$50,000.00) to make capital improvements to recreational facilities within the City and specifically improvements to the Las Vegas Sculpture Park.

2. The Authority will provide the capital improvement grant funds to the City no later than July 1, 2008 on the condition that all of the funds have been allocated to complete the capital improvements to recreational facilities, specifically, the certain improvements to the Las Vegas Sculpture Park in the City of Las Vegas. The parties may extend this deadline for two (2) additional years by mutual written agreement by the City Manager of the City and the

President/CEO of the Authority.

3. The City shall utilize said grant funds for the purpose of making capital improvements to recreational facilities within the City pursuant to NRS Chapter 244A. The funds cannot be used for administrative or operational purposes or expenses. The funds must be encumbered during the fiscal year that the grant is paid by the LVCVA. The City also agrees that it will provide an accounting to the LVCVA of the expended funds within sixty (60) days of the preceding fiscal year end. If there are remaining funds as of that date, such remaining funds will be returned to the LVCVA. The City also agrees to allow the LVCVA to audit the expenditures of these funds. The City agrees that it will own and operate the Las Vegas Sculpture Park for ten (10) years.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

LAS VEGAS CONVENTION AND VISITORS
AUTHORITY

By: _____
Rossi Ralenkotter, President/CEO

APPROVED AS TO FORM:

Date

CITY OF LAS VEGAS

By: _____
OSCAR B. GOODMAN, Mayor

ATTEST:

Beverly K. Bridges, CMC, City Clerk

APPROVED AS TO FORM:

Date