

**THIRD SUPPLEMENTAL TO INTERLOCAL CONTRACT  
OAKEY DRAIN, BIRCH STREET TO CAHLAN DRIVE**

**THIS THIRD SUPPLEMENTAL INTERLOCAL CONTRACT** made and entered into as of the 4th day of October, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

**W I T N E S S E T H**

**WHEREAS**, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

**WHEREAS**, the flood control improvements proposed herein are the same as those identified in the 2002 Master Plan as Structure No. FWOK 0020, 0040, 0060 hereinafter referred to as "PROJECT"; and

**WHEREAS**, the PROJECT is identified and shown on the attached Exhibit "A"; and

**WHEREAS**, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

**WHEREAS**, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley; and

**WHEREAS**, the Interlocal Contract dated August 11, 2005 and Supplemental Interlocal Contracts dated July 13, 2006 and June 12, 2008 were entered into between the CITY and the DISTRICT; and

**WHEREAS**, the CITY wishes to increase funding for the project.

**NOW, THEREFORE**, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

**SECTION II - PROJECT COSTS shall be revised to read as follows:**

1. The engineering and design shall not exceed \$872,000.
2. The total cost of the contract shall not exceed \$872,000 which includes all of the items described in the paragraph above.

3. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.
4. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

The remainder of the original Interlocal Contract dated August 11, 2005, the First Supplemental Interlocal Contract dated July 13, 2006 and the Second Supplemental Interlocal Contract dated June 12, 2008 shall remain unchanged.

**IN WITNESS WHEREOF**, this Third Supplemental Interlocal Contract is hereby executed as of the date first set forth above.

Date of District Action: REGIONAL FLOOD CONTROL DISTRICT  
October 9, 2008 BY: Lawrence L. Brown III  
 LAWRENCE L. BROWN, III, Chairman

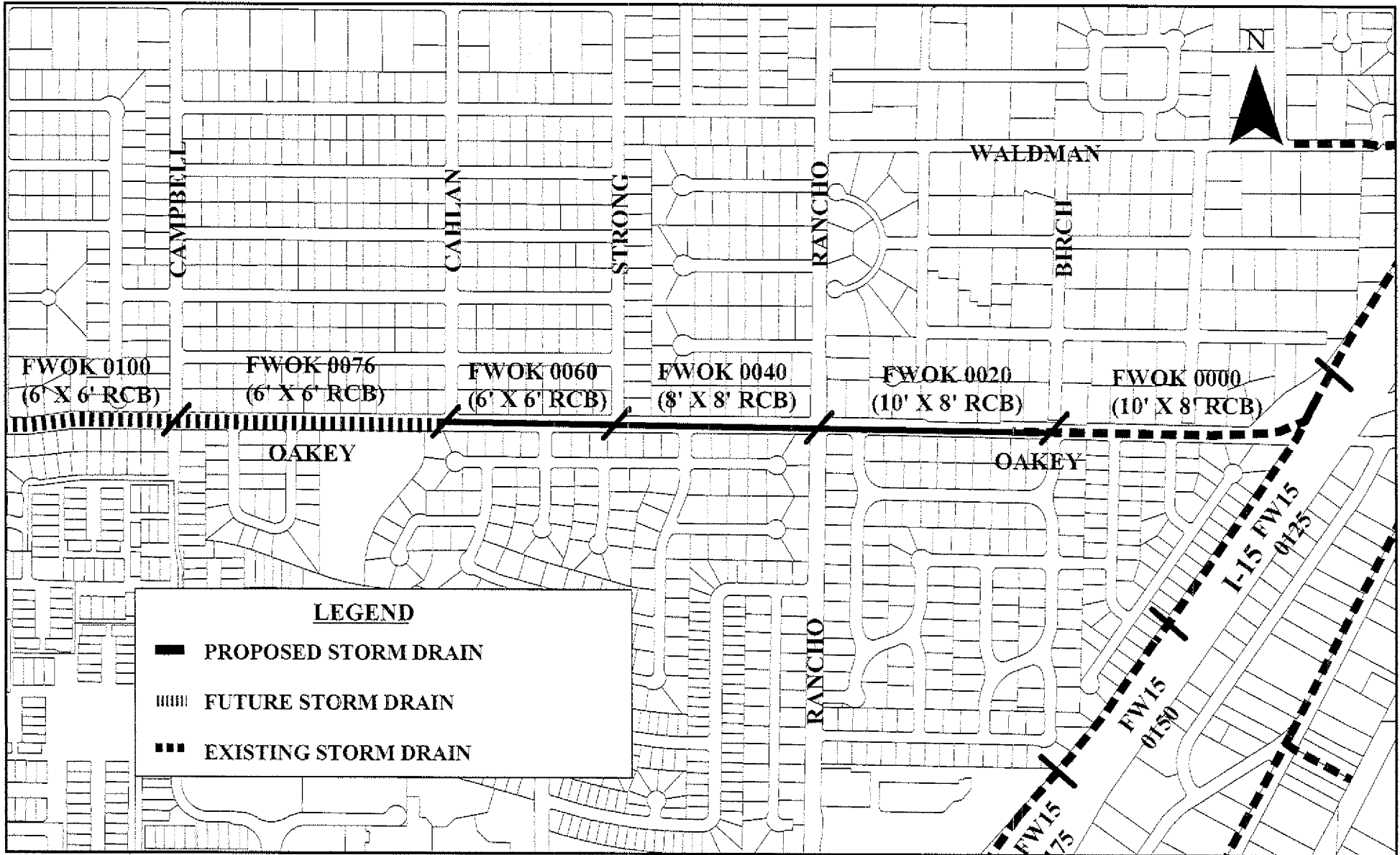
ATTEST:  
Carolyn Frazier  
 CAROLYN FRAZIER  
 Secretary to the Board

Approved as to Form:  
 BY: Christopher Figgins  
 CHRISTOPHER FIGGINS  
 Chief Deputy District Attorney

\*\*\*\*\*  
 Date of Council Action: CITY OF LAS VEGAS  
11/5/2008 BY: Oscar B. Goodman  
 ATTEST: OSCAR B. GOODMAN, Mayor

Vicky Darling  
~~Beverly K. Bridges, CMC~~  
 City Clerk  
 By: **Vicky Darling, CMC**  
 Acting City Clerk

Approved as to form  
John S. Ridilla 10/15/08  
 John S. Ridilla Date  
 Deputy City Attorney



**EXHIBIT A**  
**OAKLEY DRAIN - BIRCH TO CAHLAN (LAS09V05)**

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LAS09V05