City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S EIGHTH FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov
APRIL 19, 2011
9:00 A.M.

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF $5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER

2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

3. Bill No. 2011-18 – Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments. Proposed by: Candace Falder, Director of Finance, and Flinn Fagg, Acting Director of Planning

4. Bill No. 2011-19 – Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way. Sponsored by: Councilman Gary Reese

5. Bill No. 2011-20 – Authorizes installment-purchase agreements with Bank of America Leasing & Capital, LLC, for taxable direct pay clean renewable energy bonds and taxable direct pay qualified energy conservation bonds for the purpose of financing energy conservation and renewable energy projects. Proposed by: Candace Falder, Director of Finance

6. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited

7. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Thursday, 7:00 A.M. to 5:30 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
CALL TO ORDER

City of Las Vegas

Agenda Item No.: **2.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

City of Las Vegas

Agenda Item No.: **3.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ **Consent** ☒ **Discussion**

SUBJECT:

Bill No. 2011-18 – Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments. Proposed by: Candace Falder, Director of Finance, and Flinn Fagg, Acting Director of Planning

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**

☐ **Budget Funds Available**

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:

This bill will make minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments. The adjustments correspond to recent changes in the zoning regulations and are designed to provide greater flexibility and availability of licensing and zoning approvals. In connection with the greater availability of these approvals, the bill includes a reduction in the license fee and origination fee applicable to these businesses.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2011-18
2. Business Impact Statement

BILL NO. 2011-18

ORDINANCE NO. ______

AN ORDINANCE TO MAKE MINOR ADJUSTMENTS TO THE LICENSING AND ZONING TREATMENT OF BEER/WINE/COOLER CULTURAL ESTABLISHMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Candace Falder, Director of Finance
Flinn Fagg, Acting Director of Planning

Summary: Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 50, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.040: A beer/wine/cooler [art] cultural event license authorizes the sale only of beer, wine and coolers for consumption only at [an art gallery or art studio] a museum, performing arts theater, or facility licensed as an art gallery or art studio, and only during the hours of an artistic exhibition, presentation or performance.

SECTION 2: Ordinance No. 6126 and Title 6, Chapter 50, Section 360, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.360 reads as follows:

6.50.360: Each licensee shall pay to the Department, in advance, the semiannual license fees set forth in the following schedule:

License Category	Semiannual License Fee (Dollars)
Alcoholic beverage caterer	500.00
Ancillary lounge bar	1,200.00
Banquet or event establishment	500.00
Beer/wine/cooler [art] cultural event on-sale	[300.00] 150.00
Beer/wine/cooler on-sale	300.00
Beer/wine/cooler off-sale	300.00
Beer/wine/cooler on-off sale	600.00
Brew/pub/tavern	1,200.00
Convention facility	1,200.00
General on-sale	1,200.00

License Category	Semiannual License Fee (Dollars)
General on-sale (beer and wine)	500.00
Gift basket limited	300.00
Gift shop limited	500.00
Grocery store or mega store internet sale	500.00
Instructional wine making facility	600.00
Keg beer	200.00
Liquor manufacturer	1,000.00
Nonprofit club general on-sale	200.00
Nonprofit club restaurant service bar	100.00
Package	750.00
Permanent trade show facility	2,400.00
Restaurant service bar	600.00
Supper club	800.00
Plus: fee for each additional bar	750.00
Tavern (one bar)	1,200.00
Plus: fee for each additional bar	900.00
Tavern-limited	800.00
Plus: fee for each additional bar	500.00
Urban lounge	1,000.00
Plus: fee for each additional bar	750.00
Wholesale general	1,000.00
Wine, beer, cordial, liqueur tasting	600.00

Each special event general licensee shall pay a license fee of one hundred dollars per day.

Each special event beer/wine licensee shall pay a license fee of seventy-five dollars per day.

SECTION 3: Ordinance No. 6126 and Title 6, Chapter 50, Section 380, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.380 reads as follows:

6.50.380: (A) The origination charge listed in this Section is a one time charge which is due and payable at the time of filing an application for an alcoholic beverage license. Origination charges are as follows:

. . .

. . .

License Category	Origination Charge (Dollars)
Alcoholic beverage caterer	4,000.00
Ancillary lounge bar	40,000.00
Banquet or event establishment	20,000.00
Beer/wine/cooler [art] cultural event on-sale	[1,000.00] 500.00
Beer/wine/cooler on-sale	2,500.00
Beer/wine/cooler off-sale	2,500.00
Beer/wine/cooler on-off sale	5,000.00
Brew/pub/tavern	75,000.00
Convention facility	75,000.00
General on-sale	75,000.00
General on-sale (beer and wine)	20,000.00
Gift basket limited	1,000.00
Gift shop limited	4,000.00
Grocery store or mega store internet sale	2,500.00
Instructional wine making facility	2,500.00
Keg beer	4,000.00
Liquor manufacturer	10,000.00
Nonprofit club general on-sale	2,000.00
Nonprofit club restaurant service bar	1,000.00
Package	40,000.00
Permanent trade show facility	60,000.00
Restaurant service bar	30,000.00
Supper club	40,000.00
Tavern	75,000.00
Tavern-limited	20,000.00
Urban lounge	50,000.00
Wholesale general	10,000.00
Wine, beer, cordial, liqueur tasting	2,000.00

(B) The transfer of an alcoholic beverage license from one licensee to another is exempt from the origination charge set forth in this Section.

(C) In connection with the issuance of an original new City alcoholic beverage license to an existing County alcoholic beverage licensee whose business premises have been annexed into the City, the Department shall waive the origination charge at the request of the applicant. However, a license concerning which such a waiver has been granted may not be sold, transferred to a third party, or transferred to a new location, notwithstanding any provision of this Title to the contrary.

SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that the description of the use "Beer/Wine/Cooler Cultural Establishment," as found in the "Retail and Personal Services" element thereof, to read as follows:

Description:

An establishment:

1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only:

a. At a <u>museum, performing arts theater, or</u> facility licensed as an art studio or otherwise licensed for art sales or display (or both); and

b. During the hours of an artistic exhibition, presentation or performance; and

2. That meets the Minimum Special Use Permit Requirements set forth below.

SECTION 5: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended so that the definition of the term "Beer/Wine/Cooler Cultural Establishment" to read as follows:

"Beer/Wine/Cooler Cultural Establishment" means an establishment:

(1) Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers, for consumption only:

(a) At a <u>museum, performing arts theater, or</u> facility licensed as an art studio or otherwise licensed for art sales or display (or both); and

(b) During the hours of an artistic exhibition, presentation or performance; and

(2) That meets the criteria for a beer/wine/cooler cultural establishment as set forth in Table 2, as adopted in Section 19.04.010.

SECTION 6: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the term "Beer/Wine/Cooler Art Event" and its corresponding definition.

SECTION 7: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010 and 19.20.020 are deemed to be subchapters rather than sections.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2011.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-1-11
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2011, and referred to the following committee composed of ____________________________ and _____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2011, which was a _________________ meeting of said Council; that at said _______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-18
(Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-18, that would make minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

Expanded licensing category with lower license-related fees

Direct effects:

Expanded licensing category with lower license-related fees

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: March 1, 2011

City of Las Vegas — Agenda Item No.: **4.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2011-19 – Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way. Sponsored by: Councilman Gary Reese

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**

Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will expand and clarify the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way. The changes are intended to facilitate enforcement of the City's parking regulations and help ensure that parking spaces are available for authorized use.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2011-19
2. Business Impact Statement

BILL NO. 2011-19

ORDINANCE NO. ______

AN ORDINANCE TO EXPAND AND CLARIFY THE APPLICABILITY OF CERTAIN PARKING-RELATED PROHIBITIONS RELATING TO CITY-OWNED PARKING LOTS, CITY-OWNED PARKING GARAGES, AND PUBLIC RIGHTS-OF-WAY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 11, Chapter 10, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.10.180: (A) Except as provided in Subsection (B) of this Section, for other parking infractions of the provisions of this Code, the civil fine is twenty dollars.

(B) For abandoning or for stopping, standing or parking a vehicle [on any City highway, street or thoroughfare] in violation of LVMC 11.24.010 or 11.52.305, [respectively,] the civil fine is seventy-five dollars, plus any towing and storage fees which may be assessed in connection with the removal of the vehicle pursuant to this Title.

SECTION 2: Title 11, Chapter 24, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.24.010: <u>(A)</u> It is unlawful to do any of the following upon any highway, street or other public thoroughfare within the City:

[(A)] <u>(1)</u> Abandon a vehicle;

[(B)] <u>(2)</u> Park a vehicle which does not display thereon a valid registration permit or license plate issued [by the Nevada Department of Motor Vehicles] for that vehicle[;] <u>by the Nevada Department of Motor Vehicles or by another state or nation;</u>

[(C)] <u>(3)</u> Allow a vehicle to remain positioned:

[(1)] <u>(a)</u> On the same highway, street or other public right-of-way adjacent to the same parcel or property line for more than seventy-two consecutive hours;

[(2)] (b) On the same highway, street or other public right-of-way adjacent to the same parcel or property line for more than seventy-two hours of any consecutive ninety-six-hour period;

[(3)] (c) On adjoining highways, streets or other public rights-of-way adjacent to the same parcel or property line for more than seventy-two hours of any consecutive ninety-six-hour period;

[(D] (4) Park a vehicle and cause it to be suspended on jacks or any other lifting device, except as and to the extent reasonably necessary to change a tire or effect an immediate repair; or

[(E)] (5) Park a vehicle and engage in mechanical repairs thereon, except as and to the extent reasonably necessary to effect an immediate emergency repair.

(B) It is unlawful to do any of the following upon or within any City-owned parking lot or parking garage within the City:

(1) Abandon a vehicle;

(2) Park a vehicle which does not display thereon a valid registration permit or license plate issued for that vehicle by the Nevada Department of Motor Vehicles or by another state or nation;

(3) Park a vehicle and cause it to be suspended on jacks or any other lifting device, except as and to the extent reasonably necessary to change a tire or effect an immediate repair; or

(4) Park a vehicle and engage in mechanical repairs thereon, except as and to the extent reasonably necessary to effect an immediate emergency repair.

SECTION 3: Title 11, Chapter 24, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11.24.030: Any officer of the Metropolitan Police Department or any officer of the Department of Detention and Enforcement who has reasonable grounds to believe that a vehicle has been abandoned or has been parked [in the same location] in violation of LVMC 11.24.010 may affix a

Notice of Infraction to the vehicle. An authorized employee of the Department of Neighborhood Services who has reasonable grounds to believe that a vehicle has been abandoned or parked on private property in violation of LVMC 11.24.020 may affix a Notice of Infraction to the vehicle. The officer or employee may also affix a warning notice advising that the vehicle is subject to tow because it is in violation, and may mark one or more tires of the vehicle to indicate the current date. Any such officer or employee is authorized to immediately remove or have such vehicle removed from any street, highway, public thoroughfare, public or private property, for the purpose of storage or disposition, to any garage within the City as designated by the officer if the vehicle:

(A) Has not been removed within seventy-two hours after the warning notice is affixed.

(B) Has been parked for more than twenty-four hours while in violation of a parking prohibition, restriction or time limitation.

(C) Is parked at a location or in a manner so as to constitute a traffic hazard or an obstruction to the normal movement of traffic or pedestrians.

(D) Is parked within a fire lane, whether on public or private property, which has been designated and posted as such pursuant to [Sections 901 and 902 of the] <u>Section 503.3 of the International</u> Fire Code, as adopted by the City.

(E) Is parked within fifteen feet of a fire hydrant located on either public or private property, whether or not:

(1) A sign has been posted to indicate "No Parking"; or

(2) The adjacent curb or road surface has been painted red.

(F) Has obviously been abandoned upon a street, highway, public thoroughfare or on public property.

(G) Has been abandoned or parked in violation of LVMC 11.24.020, and has not been removed within seventy-two hours after a warning notice has been affixed.

(H) Is parked upon a street, highway, public thoroughfare or public property and is so disabled or in such a state of disrepair that its normal operation is impossible or impractical.

(I) Is parked upon a street, highway, public thoroughfare or public property and displays no valid registration permit or license plate issued by the Nevada Department of Motor Vehicles for that vehicle.

(J) Is parked on private property to which the public has access and has been damaged or is in such a state of disrepair as to constitute an imminent hazard to the public.

SECTION 4: Title 11, Chapter 52, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 315, reading as follows:

11.52.315: The City Manager or his designee is authorized to cause individual parking spaces within City-owned parking lots or parking garages to be marked, either by means of painted lines or other durable markings. Where such parking spaces have been so marked, it is unlawful to park any vehicle:

(A) In such a way that the vehicle is not entirely within the limits of a single space so designated; or

(B) In an area not marked as a parking space.

SECTION 5: Title 13, Chapter 4, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.04.070: (A) It is unlawful for any person to<u>:</u>

<u>(1)</u> <u>Sell</u> [sell] or to display for the purpose of sale any motor vehicle or merchandise on or within any unimproved portion of a public right-of-way. For purposes of this [Section,] <u>Subsection,</u> "merchandise" means goods or wares, including, but not limited to, produce, nursery stock, ceramics and other similar items.

<u>(2)</u> <u>Park a vehicle upon any public right-of-way, whether improved or unimproved, for the principal purpose of displaying the vehicle for sale.</u>

➡A violation of this Subsection (A) may be enforced either by means of a criminal proceeding or as a civil violation under LVMC Chapter 11.10.

(B) Members of the Las Vegas Metropolitan Police Department and designated officers of the Department of Detention and Enforcement are authorized to remove or cause to be removed, to a designated garage or storage area, any motor vehicle which is being displayed in violation of this Section if the vehicle has not been removed within seventy-two hours after a written notice to remove is attached to the vehicle. The costs of removal and storage shall be borne by the owner of the vehicle.

(C) Nothing in this Section shall be deemed to authorize any sale or display on any improved portion of a public right-of-way except that which is otherwise expressly permitted by this Code.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _______________, 2011.

APPROVED:

By ______________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 3-23-11
____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _______________, 2011, and referred to the following committee composed of ____________________________ and _____________________________ for recommendation; thereafter the said committee reported favorably on said ordinance on the ______ day of _________________, 2011, which was a _________________ meeting of said Council; that at said _______________________ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": ____

VOTING "NAY": ____

ABSENT: ____

APPROVED:

By ________________________________
OSCAR B. GOODMAN, Mayor

ATTEST:

____
BEVERLY K. BRIDGES, MMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2011-19
(Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2011-19, that would expand and clarify the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

None identified

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None identified

Beneficial effects:

None identified

Direct effects:

None identified

Indirect effects:

None identified

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: March 23, 2011

City of Las Vegas Agenda Item No.: **5.**

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:

Bill No. 2011-20 – Authorizes installment-purchase agreements with Bank of America Leasing & Capital, LLC, for taxable direct pay clean renewable energy bonds and taxable direct pay qualified energy conservation bonds for the purpose of financing energy conservation and renewable energy projects. Proposed by: Candace Falder, Director of Finance

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**

Amount: $10,848,700
Funding Source: General Capital Project Fund
Dept./Division: Finance

PURPOSE/BACKGROUND:
The City Council has previously authorized the Director of Finance to arrange for the issuance and sale of one or more installment-purchase agreements to finance energy conservation and renewable energy projects. Through a request for financing bid process, the Director has determined that has offered the best terms and conditions in compliance with applicable law, including NRS Chapters 350 and 354. This bill will authorize the appropriate installment-purchase agreements for implementing the projects.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2011-20

Summary – an ordinance authorizing installment-purchase agreements.

BILL 2011-20
ORDINANCE ______

AN ORDINANCE AUTHORIZING INSTALLMENT PURCHASE AGREEMENTS FOR TAXABLE DIRECT PAY CLEAN RENEWABLE ENERGY BONDS AND TAXABLE DIRECT PAY QUALIFIED ENERGY CONSERVATION BONDS FOR THE PURPOSE OF FINANCING ENERGY CONSERVATION AND RENEWABLE ENERGY PROJECTS; AUTHORIZING THE EXECUTION OF THE AGREEMENTS AND OTHER DOCUMENTS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas (the "City"), in the State of Nevada (the "State"), is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter") and is authorized to transact business and exercise powers under the authority of and pursuant to the Charter and Chapter 268 of the NRS, as amended and supplemented (the "Law"), including the power to enter into installment purchase agreements pursuant to NRS 350.800 for any of its corporate purposes; and

WHEREAS, the City Council (the "Council") proposes to enter into an installment-purchase agreement (the "QECB Agreement") in the maximum principal amount of $5,874,300 under NRS 350.087 to 350.095, inclusive (the "Act"), in order to finance all or a portion of the cost to acquire, improve and equip building projects as defined in NRS 268.676, including without limitation, projects for the conservation of energy in existing buildings, street projects as defined in NRS 268.722, which constitute qualified conservation purposes as defined in Section 54D(f) of the Internal Revenue Code of 1986, as amended (the "QECB Project"); and

WHEREAS, the Council proposes to enter into an installment-purchase agreement (the "NCREB Agreement" and together with the QECB Agreement, the "Agreements") in the maximum principal amount of $4,974,400 under the Act, in order to finance all or a portion of the cost to acquire, improve and equip building projects as defined in NRS 268.676, including without limitation, projects for renewable energy facilities in existing buildings, street projects as defined in NRS 268.722, which constitute qualified renewable energy facilities as defined in Section 54C(d)(1) of the Internal Revenue Code of 1986, as amended (the "NCREB Project" and together with the QECB Project, the "Projects"); and

WHEREAS, NRS 350.087 requires that a notice of intention to authorize the Agreements be published not less than 10 days prior to the consideration of a resolution authorizing the Agreements; and

WHEREAS, a notice of intention to act upon the resolution authorizing the Agreements has been duly published in a newspaper of general circulation in the City not less than 10 days prior to the date of a public hearing thereon and the public hearing was held and the Council adopted an authorization resolution on May 19, 2010 (the "Authorization Resolution"); and

WHEREAS, the Council made certain determinations in the Authorization Resolution as required by the Act; and

WHEREAS, the Authorization Resolution and the necessary documentation were submitted to the State of Nevada, Department of Taxation (the "Department"), for approval as required by NRS 350.089; and

WHEREAS, the Council proposes to enter into the Agreements with a term of more than 10 years, requiring the Council, pursuant to NRS 350.014, to submit to the Clark County Debt Management Commission (the "Commission") for its approval or disapproval the following proposal:

> **INSTALLMENT-PURCHASE AGREEMENT PROPOSAL: Shall the City Council of the City of Las Vegas in the State of Nevada, be authorized to incur an indebtedness on behalf of the City by the issuance at one time, or from time to time, of one or more installment-purchase agreements in the maximum aggregate principal amount of $10,848,700 for the purpose of financing, wholly or in part, the cost to acquire, improve and equip building projects as defined in NRS 268.676, street projects as defined in NRS 268.722, qualified conservation purposes pursuant to Section 54D(f) of the Internal Revenue Code of 1986, as amended (the "Code") and qualified renewable energy facilities pursuant to Section 54C of the Code, each one or more installment-purchase agreements to mature not less than 10 years and not greater than 20 years from the date each such agreement is entered into, to bear interest at a rate or rates not in excess of**

the statutory maximum rate in effect at the time the installment-purchase agreements are entered into, the installment-purchase agreements by their terms to be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due, to be payable from legally available funds of the City, to be secured by a security interest in property of the City as provided in NRS 350.800, and to be entered into upon such terms and conditions, and with such other detail as the Council may determine?

(the "Proposal"); and

WHEREAS, the Commission approved the Proposal on May 7, 2010; and

WHEREAS, the Executive Director of the State of Nevada Department of Taxation has approved the Proposal and the written approval is attached hereto and recorded in the minutes of the Council; and

[Attach Approval of Department of Taxation]

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WHEREAS, the City has not previously utilized any of the authority so approved by the Department of Taxation and the Debt Management Commission of Clark County and the City has not previously issued any installment-purchase agreements which are subject to such approvals ; and

WHEREAS, the Council elects to and hereby determines to issue the Agreements in accordance with the provisions of Chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being NRS 350.500 through 350.720, and all laws amendatory thereof (the "Bond Act"), NRS 268.672 through 268.740, inclusive (the "City Bond Law") and Chapter 348 of NRS (the "Supplemental Bond Act"); and

WHEREAS, the Council has authorized the Chief Financial Officer (the "CFO") and the Director of Finance of the City (the "Director of Finance") or designee to arrange for the issuance and sale of the Agreements, subject to, among other conditions, adoption by the City of this Ordinance specifying the terms and details of the Agreements and approving their sale; and

WHEREAS, after negotiation for the sale of the QECB Agreement and the NCREB Agreement, the CFO is hereby authorized to sell the Agreements to the purchasers therefor (the "QECB Purchaser" and the "NCREB Purchaser", respectively) and the CFO is hereby authorized to accept a binding bid for the Agreements; and

WHEREAS, the QECB Agreement shall bear interest at the rate or rates per annum provided in the purchase proposal submitted by the QECB Purchaser (the "QECB Purchase Proposal"), such rates not to exceed 3 percent over the Index of Revenue Bonds most recently published in The Bond Buyer prior to the time a negotiated offer is accepted for the QECB Agreement, and shall be sold at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the QECB Agreement, if any, plus a premium or less a discount not to exceed 9 percent of the principal amount of the QECB Agreement, all as specified by the CFO in the QECB Agreement; and

WHEREAS, the Secretary of the Treasury allocated to the State a portion of the volume cap under Section 54D(a)(1) of the Internal Revenue Code of 1986, as amended (the "Tax Code") and IRS Notice 2009-29, and the State in turn allocated the amount of $5,874,351 to the City for the QECB Project (the "QECB Volume Cap") and a copy of the allocation notification is on file with the City; and

WHEREAS, the aggregate principal amount of the QECB Agreement does not exceed the amount of the QECB Volume Cap and no other obligations have been designated under Section 54D of the Tax Code, pursuant to such allocation; and

WHEREAS, the NCREB Agreement shall bear interest at the rate or rates per annum provided in the purchase proposal submitted by the NCREB Purchaser (the "NCREB Purchase Proposal"), such rates not to exceed 3 percent over the Index of Revenue Bonds most recently published in The Bond Buyer prior to the time a negotiated offer is accepted for the NCREB Agreement, and shall be sold at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the NCREB Agreement, if any, plus a premium or less a discount not to exceed 9 percent of the principal amount of the NCREB Agreement, all as specified by the CFO in the NCREB Agreement; and

WHEREAS, the Department of the Treasury through the Internal Revenue Service allocated to the City a portion of the volume cap under Section 54C of the Tax Code, IRS Notice 2009-33 and 2009-17 IRB 865, in the amount of $4,974,453 for the NCREB Project (the "NCREB Volume Cap") and a copy of the allocation notification is on file with the City; and

WHEREAS, the aggregate principal amount of the NCREB Agreement does not exceed the amount of the NCREB Volume Cap and no other obligations have been designated under Section 54C of the Tax Code, pursuant to such allocation; and

WHEREAS, the Council has determined and hereby declares:

(A) It is necessary and in the best interests of the City to effect the Project and to issue and enter into the Agreements;

(B) Each of the limitations and other conditions to the issuance of the Agreements in the Act, the City Bond Law, the Bond Act, the Supplemental Bond Act, and any other relevant act of the State or the Federal Government, has been met; and pursuant to NRS 350.708, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion; and

(C) This Ordinance pertains to the sale, issuance and payment of the Agreements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:

Section 1. This ordinance is hereby designated by the short title the "2011 Installment-Purchase Agreements (QECB and NCREB) Ordinance" (the "Ordinance").

Section 2. The Council hereby authorizes the CFO or Finance Director to execute the Agreements with the QECB Purchaser and the NCREB Purchaser evidencing the financing for the Projects in the maximum principal amount of $10,848,700, in substantially the form as currently on file with the Clerk with such changes and amendments as are deemed necessary by the Director of Finance, in the best interests of the City, and not inconsistent with the provisions of this Ordinance and such officer's execution of the Agreement shall be conclusive evidence of such officer's consent to any changes and amendments. The CFO is hereby authorized to negotiate the terms of the Agreements not inconsistent herewith and accept binding offers for the financing of the Agreements which acceptance shall constitute a binding written contract for the sale of the Agreements. The acceptance of the offers by the CFO may be evidenced by execution of the Agreements or a certificates of the CFO containing the interest rate, amounts and dates of principal installments and specified credit rates for each maturity.

The principal of the QECB Agreement shall bear interest from the date of delivery at the annual interest rate(s) set forth in the QECB Agreement to be repaid over a period of not more than 20 years, which term shall not exceed the useful life of the QECB Project and shall mature in equal annual principal installments on the dates and in the amounts and bearing interest at the rates set forth in the certificate of the CFO. Pursuant to NRS 350.800 and the QECB Agreement, the City shall grant a security interest in the QECB Project to the QECB Purchaser. The QECB Agreement must include a provision which provides that the QECB Agreement, by its terms, shall be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due, subject to the Purchaser's right to pursue its security interest in the QECB Project which security interest (or right thereto) shall not be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due.

The principal of the NCREB Agreement shall bear interest from the date of delivery at the annual interest rate(s) set forth in the NCREB Agreement to be repaid over a period of not more than 20 years, which term shall not exceed the useful life of the NCREB Project and shall mature in equal annual principal installments on the dates and in the amounts and bearing interest at the rates set forth in the certificate of the CFO. Pursuant to NRS 350.800 and the NCREB

Agreement, the City shall grant a security interest in the NCREB Project to the NCREB Purchaser. The NCREB Agreement must include a provision which provides that the NCREB Agreement, by its terms, shall be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due, subject to the Purchaser's right to pursue its security interest in the NCREB Project which security interest (or right thereto) shall not be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due.

Section 3. The Agreement is not proposed to be repaid in whole or in part by the levy of a tax which is exempt from the limitations on taxes ad valorem. The Agreement is anticipated to be repaid from other legally available funds of the City, including, without limitation, monies in the City's General Fund in the estimated annual amount of $500,000 to $1,250,000 for a minimum period of 10 years and a maximum period of 20 years and other legally available monies, including ad valorem taxes levied within the limitations provided in chapter 354 of NRS.

Section 4. The officers of the City be and the same hereby are authorized and directed to take all action necessary to effectuate the provisions of this Ordinance, including, without limitation, the execution of such documents required for the closing of the transaction evidenced by the Agreement, including an escrow agreement, if necessary.

Section 5. The City hereby designates the QECB Agreement as a "qualified energy conservation bond" under Section 54D of the Tax Code, makes an irrevocable election that subsection (f) of Section 6431 of the Tax Code shall apply to the QECB Agreement so that the City will directly receive the payment provided in Section 6431 of the Tax Code in lieu of any credit otherwise available to the QECB Purchaser of the QECB Agreement under Section 54A of the Tax Code (the payment described in Section 6431 is herein the "QECB Credit") and that the direct payment subsidy option applies to the QECB Agreement pursuant to Section 30 of the Hiring Incentives to Restore Employment Act, Pub. L. No. 111-147, 124 Stat 71 (2010). None of the owners of the QECB Agreement shall be entitled to any credit under Section 54A of the Tax Code. The City covenants that it will not take any action or omit to take any action with respect to the QECB Agreement, the proceeds thereof, any other funds of the City or any project financed with the proceeds of the QECB Agreement if such action or omission would cause the QECB Agreement to not be, or to cease being, "qualified energy conservation bonds" under Section 54D of the Tax Code, entitled to the QECB Credit. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the QECB Agreement until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met. The City shall timely file any document required by the Internal Revenue Service to be filed in order to claim the QECB Credit. Any QECB Credit received by the City under Section 6431 of the Tax Code with respect to the QECB Agreement shall be used to pay the interest portion of the Base Payments (as defined in the QECB Agreement) due under the QECB Agreement or to reimburse the City for amounts it has used to pay that interest.

Section 6. The City hereby designates the NCREB Agreement as a "new clean renewable energy bond" under Section 54C of the Tax Code, makes an irrevocable election that subsection (f) of Section 6431 of the Tax Code shall apply to the NCREB Agreement so that the City will directly receive the payment provided in Section 6431 of the Tax Code in lieu of any credit otherwise available to the NCREB Purchaser of the NCREB Agreement under Section 54A of the Tax Code (the payment described in Section 6431 is herein the "NCREB Credit") and that the direct payment subsidy option applies to the NCREB Agreement pursuant to Section 30 of the Hiring Incentives to Restore Employment Act, Pub. L. No. 111-147, 124 Stat 71 (2010). None of the owners of the NCREB Agreement shall be entitled to any credit under Section 54A of the Tax Code. The City covenants that it will not take any action or omit to take any action with respect to the NCREB Agreement, the proceeds thereof, any other funds of the City or any project financed with the proceeds of the NCREB Agreement if such action or omission would cause the NCREB Agreement to not be, or to cease being, "new clean renewable energy bonds" under Section 54C of the Tax Code, entitled to the NCREB Credit. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the NCREB Agreement until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met. The City shall timely file any document required by the Internal Revenue Service to be filed in order to claim the NCREB Credit. Any NCREB Credit received by the City under Section 6431 of the Tax Code with respect to the NCREB Agreement shall be used to pay the interest portion of the Base Payments (as defined in the NCREB Agreement) due under the NCREB Agreement or to reimburse the City for amounts it has used to pay that interest.

Section 7. When first proposed, this Ordinance must be read to the Council by title and referred to a committee for consideration, after which an adequate number of copies of this Ordinance must be deposited with the Clerk for public examination and distribution upon request. Notice of the deposit must be published once in a newspaper of general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form for Publication of Proposed Ordinance)

BILL _____
ORDINANCE ______

AN ORDINANCE AUTHORIZING INSTALLMENT PURCHASE AGREEMENTS FOR TAXABLE DIRECT PAY CLEAN RENEWABLE ENERGY BONDS AND TAXABLE DIRECT PAY QUALIFIED ENERGY CONSERVATION BONDS FOR THE PURPOSE OF FINANCING ENERGY CONSERVATION AND RENEWABLE ENERGY PROJECTS; AUTHORIZING THE EXECUTION OF THE AGREEMENTS AND OTHER DOCUMENTS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above-entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada and that such Ordinance was proposed on April 6, 2011 and will be considered for adoption at a meeting of the City Council of the City of Las Vegas on April 20, 2011.

/s/ Beverly K. Bridges, MMC
City Clerk

(End of Publication of Proposed Ordinance)

Section 8. **Publication and Effective Date.** After this Ordinance is adopted, signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be in effect on the day of its publication once by its title only, together with the names of the Council Members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form for Publication After Adoption of Ordinance)

BILL _____
ORDINANCE ______

AN ORDINANCE AUTHORIZING INSTALLMENT PURCHASE AGREEMENTS FOR TAXABLE DIRECT PAY CLEAN RENEWABLE ENERGY BONDS AND TAXABLE DIRECT PAY QUALIFIED ENERGY CONSERVATION BONDS FOR THE PURPOSE OF FINANCING ENERGY CONSERVATION AND RENEWABLE ENERGY PROJECTS; AUTHORIZING THE EXECUTION OF THE AGREEMENTS AND OTHER DOCUMENTS RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, that the above-numbered and entitled Ordinance was proposed by Councilmember __________________ on April 6, 2011, and was passed and adopted at a regular meeting of the City Council of the City of Las Vegas on April 20, 2011, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay: ______________________________

____

Those Absent: ______________________________

____

This Ordinance shall be in full force and effect from and after the ___ day of April, 2011, i.e., the date of publication of such Ordinance by title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this April 20, 2011.

Attest:

/s/ Oscar B. Goodman
Mayor, City of Las Vegas

/s/ Beverly K. Bridges, MMC
Clerk, City of Las Vegas

(End of Form of Publication of Adoption of Ordinance)

Section 9. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. Final Certificates The execution of such certificates as may be reasonably required by the QECB Purchaser and the NCREB Purchaser, relating, inter alia, to:

(1) The execution of the Agreements,

(2) The tenure and identity of the officials of the Council and of the City, and

(3) If it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof.

B. Other Documents. The execution and delivery of the Agreements by the CFO in substantially the form on file with the Clerk are hereby authorized and approved with such changes as are approved by the CFO Director whose execution thereof shall be conclusive evidence of such officer's consent to such changes. The execution and delivery of such other agreements by the CFO or the Finance Director necessary or appropriate to effectuate the provisions of this Ordinance and the Agreements, including, without limitation, the Escrow Agreements (as defined in the Agreements) and agreements with the Calculation Agent (as defined in the Agreements).

Section 10. All consistent action taken previously by the Council and the officers of the City directed toward the Project, and toward the execution and delivery of the Agreement is ratified, approved and confirmed.

Section 11. All resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 12. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Adopted April 20, 2011.

(SEAL)

____
Oscar B. Goodman, Mayor

Attest:

____
Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

Val Steed 3-28-11
Deputy City Attorney

This Ordinance shall be in full force and effect from and after __________ ___, 2011, i.e., the day after the publication of such Ordinance by its title only.

STATE OF NEVADA)
)
COUNTY OF CLARK) **ss.**
)
CITY OF LAS VEGAS)

I, Beverly K. Bridges MMC, the duly chosen and qualified City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct and compared copy of an ordinance introduced at meeting of the City Council held on April 6, 2011, and the notice of filing of the proposed ordinance was published in a newspaper of general circulation in the City (an affidavit evidencing such publication is attached hereto as Exhibit C). The ordinance was referred to a committee, the committee reported the ordinance back to the City Council, and the ordinance was passed and adopted by the Council at a meeting held on April 20, 2011. The original of such ordinance has been approved and authenticated by the signature of the Mayor of the Council and myself as Clerk, published by title (an affidavit evidencing such publication is attached hereto as Exhibit D), and has been recorded in the minute book of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

2. The members of the Council were present at the meeting on April 6, 2011 and voted on the referral of the ordinance as follows:

Mayor:

Those Absent: ____________________

____

3. The members of the Council were present at the April 20, 2011 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:
Mayor:
Councilmembers:

Those Voting Nay: ____________________
Those Absent: ____________________
____

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4. All members of the Council were given due and proper notice of the meetings held on April 6, 2011 and April 20, 2011. Pursuant to NRS 241.020, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, on the City's website, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada;

(ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada;

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada;

(iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada; and

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada.

and

(b) By mailing a copy of the notice to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

6. A copy of such notice so given of the meeting of the Council on April 6, 2011 is attached to this certificate as Exhibit A, and a copy of such notice so given of the meeting of the Council on April 20, 2011 is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this _______________, 2011.

____
City Clerk

EXHIBIT A

(Attach Copy of Notice of Meeting held April 6, 2011)

EXHIBIT B

(Attach Copy of Notice of Meeting held April 20, 2011)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

City of Las Vegas

Agenda Item No.: **6.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

City of Las Vegas

Agenda Item No.: **7.**

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: APRIL 19, 2011

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADJOURNMENT