



REDEVELOPMENT AGENCY MEETING AGENDA

CITY HALL, 400 STEWART AVENUE

COUNCIL CHAMBERS – PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

AGENCY MEMBERS: CAROLYN G. GOODMAN, CHAIR (At-Large)

STAVROS S. ANTHONY, VICE-CHAIR (Ward 4), STEVE WOLFSON (Ward 2)

LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

RICKI Y. BARLOW (Ward 5), BOB COFFIN (Ward 3)

December 21, 2011

8:30 AM

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF ORDER; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. PLEASE NOTE SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE REDEVELOPMENT AGENCY MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CDS AND DUPLICATE AUDIO/VIDEO DVDS 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. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED
4. For possible action to approve the Final Minutes by reference of the regular Redevelopment Agency meeting of November 16, 2011
5. Discussion for possible action regarding a First Amendment to Disposition and Development Agreement between the City of Las Vegas Redevelopment Agency and Las Vegas ICE, LLC, to modify the Preliminary Site Plan, Scope of Development and Schedule of Performance regarding the real property generally located at the southeast corner of Clark Avenue and Las Vegas Boulevard - Ward 3 (Coffin)
6. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE REDEVELOPMENT AGENCY. NO SUBJECT MAY BE ACTED UPON BY THE REDEVELOPMENT AGENCY 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. AGENCY MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL AGENCY MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE AGENCY UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

Facilities are provided throughout City Hall for the convenience of disabled persons. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. 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. The City's TDD number is 386-9108

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall Plaza, 400 Stewart Avenue, Vending Area
City Clerk's Bulletin Board, 400 Stewart Avenue, 2nd Floor Skybridge
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
REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2011

SUBJECT:
CALL TO ORDER



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ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



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AGENDA SUMMARY PAGE

REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2011

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

For possible action to approve the Final Minutes by reference of the regular Redevelopment Agency meeting of November 16, 2011



AGENDA SUMMARY PAGE**REDEVELOPMENT AGENCY MEETING OF: DECEMBER 21, 2011**

DEPARTMENT: ECONOMIC AND URBAN DEVELOPMENT**DIRECTOR: WILLIAM ARENT****SUBJECT:**

Discussion for possible action regarding a First Amendment to Disposition and Development Agreement between the City of Las Vegas Redevelopment Agency and Las Vegas ICE, LLC, to modify the Preliminary Site Plan, Scope of Development and Schedule of Performance regarding the real property generally located at the southeast corner of Clark Avenue and Las Vegas Boulevard - Ward 3 (Coffin)

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

The City of Las Vegas Redevelopment Agency (RDA) approved a Disposition and Development Agreement on April 20, 2011, for the sale, purchase and development of RDA-owned real property. The Developer closed escrow on September 26, 2011. The Preliminary Site Plan and Scope of Development are being modified from a five-story Class A office building to the ten-story Federal Justice Tower, which will house the Immigration and Customs Enforcement Headquarters, the U.S. Attorney's Office, approximately 1,000 square feet of ground floor retail (subject to GSA approvals), and a six-story parking garage. The Schedule of Performance extends the construction completion date to 180 days from closing or the issuance of city and other governmental permits necessary to commence construction.

RECOMMENDATION:

Approval and authorization for the Executive Director of the Redevelopment Agency to execute the First Amendment to Disposition and Development Agreement and all related matters.

BACKUP DOCUMENTATION:

1. First Amendment to Disposition and Development Agreement
2. Federal Justice Tower Rendering
3. Disclosure of Principals
4. Parcel Number List
5. Site Map

**FIRST AMENDMENT TO
DISPOSITION AND DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT ("*First Amendment*") is entered into as of the ____ day of _____, 2011, ("*Effective Date*") by and between the City of Las Vegas Redevelopment Agency, a public body organized and existing under the community development laws of the State of Nevada (hereinafter "*RDA*"), and Las Vegas ICE, LLC, a Nevada limited liability corporation (hereinafter "*ICE*"). The RDA and ICE may be referred to herein individually as a "*Party*" and together as the "*Parties*".

WHEREAS, the Parties have entered into that certain Disposition and Development Agreement dated April 20, 2011 ("*DDA*") to set forth the terms and conditions of the sale, purchase and development of real property generally located at the southeast corner of Las Vegas Boulevard and Clark Avenue, Las Vegas, Nevada, as further defined in the DDA, for the purposes of developing and leasing Class A office space to the General Services Administration ("*GSA*");

WHEREAS, the real property was conveyed to ICE by the RDA on September 26, 2011; and

WHEREAS, the Parties desire to enter into this First Amendment in order to modify the existing Preliminary Site Plan which is Exhibit "D" to the DDA, the existing Scope of Development which is Exhibit "E" to the DDA, and the existing Schedule of Performance which is Exhibit "F" to the DDA.

NOW, THEREFORE, the Parties do hereby agree to amend the DDA as follows:

1. This First Amendment shall be effective upon its execution by both Parties.
2. The Parties hereby agree that (i) Exhibit "D" – Preliminary Site Plan to the DDA is hereby deleted and Exhibit "A" to this First Amendment is hereby substituted in lieu thereof, (ii) Exhibit "E" – Scope of Development to the DDA is hereby deleted and Exhibit "B" to this First Amendment is hereby substituted in lieu thereof, and (iii) Exhibit "F" – Schedule of Performance to the DDA is hereby deleted and Exhibit "C" to this First Amendment is hereby substituted in lieu thereof. The Developer agrees that it shall construct a ten story Class A office building with

approximately 1,000 square feet of ground floor retail (subject to approval of the GSA) and a six story structured parking garage as set forth in the revised Site Plan, Scope of Development and Schedule of Performance.

3. Except as modified by this First Amendment, the DDA remains in full force and effect in all respects.

4. This First Amendment may be signed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same. Delivery of this First Amendment may be accomplished by facsimile transmission of this First Amendment. In such event, the parties hereto shall promptly thereafter deliver to each other executed counterpart originals of this First Amendment.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the Effective Date.

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

LAS VEGAS ICE, LLC
By: SDA, Incorporated
Its: Managing Member

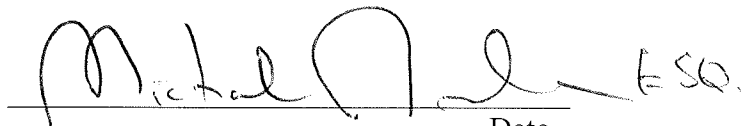
By: Elizabeth N. Fretwell

By: Stephen M. Biagiotti

Executive Director

President

APPROVED AS TO FORM:



Date

11-29-11

Architectural floor plan of the Eastern District Court House. The plan shows a large rectangular building with various rooms and corridors. Key areas include:

- Penetration Entry Plaza:** Located on the left side of the building.
- Reception:** A central area with a large open space.
- Offices:** Numerous small rooms labeled as offices, some with desks and chairs.
- Corridors:** A network of hallways connecting the different rooms.
- Exterior Features:** Trees, landscaping, and a parking area are shown outside the building.
- Orientation:** A north arrow is located in the bottom right corner.
- Scale:** A scale bar is located in the bottom left corner, indicating a distance of 1 inch = 20 feet.

The plan is detailed with room numbers, furniture, and architectural symbols. The building is surrounded by a street on the left and a parking area on the right. The overall layout is functional and organized.

-3-

Exhibit "B"

First Amendment to Disposition and Development Agreement
Revised Scope of Development of the Project substituted for Exhibit "E" of the Disposition and
Development Agreement

Developer shall build a ten-story Class A office building of approximately 129,000 square feet and a six-story structured parking garage, to lease to the Department of Justice, U.S. Attorney's Office and the Department of Homeland Security General Services Administration (GSA) U.S. Immigration and Customs Enforcement Agency (ICE) for their administrative and executive offices for a minimum lease term of fifteen (15) years and for not less than 122,000 square feet of leasable area consistent with the site development plan submitted to the City Planning Department on November 23, 2011 for consideration at the January 10, 2012 City Planning Commission meeting and the _____, 2011 City Council meeting if necessary. The first floor will be designed to accommodate up to 1,000 square feet of ground floor retail subject to GSA approval. Any deviation from said site development plan or the conditions of the approval of such plan shall require written approval of the RDA.

Exhibit "C"
First Amendment to Disposition and Development Agreement
Revised Schedule of Performance substituted for Exhibit "F" of the Disposition and
Development Agreement

The Parties shall execute and deliver two exact copies of this First Amendment.	Not later than ten (10) calendar days from RDA Board approval of this First Amendment.
The Developer shall submit to the City for approval a set of basic concept drawings.	Pre-application to be heard on November 15, 2011
Review of basic concept drawings by City.	Not later than ninety (90) calendar days from the Effective Date. April 25, 2012
Submission to City by Developer of site development plan application through City Planning Department.	Not later than one hundred eighty (180) calendar days from the Effective Date. August 29, 2012
Submittal of final architectural plans, civil plans, mechanical, electrical, and plumbing plans, landscape plans, and structural plan to City.	Not later than one hundred twenty (120) calendar days after site development plan application approval.
Issuance of City and other governmental permits necessary to commence construction.	Not later than start of construction or within six (6) months of submittal of final architectural plans, civil plans, mechanical, electrical, and plumbing plans, landscape plans, and structural plan to City.
Submission – Certificates of Insurance.	Not later than ten (10) days prior to start of construction
The Developer shall commence construction, which shall mean pouring of the footings as determined by an inspection completed by the City's building official, or by his designee.	Within one hundred eighty (180) calendar days after the earlier of (i) Closing (September 26, 2011), or (ii) issuance of City and other governmental permits necessary to commence construction.
Completion of construction, as evidenced by a Certificate of Occupancy issued by the City.	Not later than eighteen (18) calendar months following commencement of construction.
Upon written request by Developer and after completion of improvements as required by the Agreement, City shall furnish Developer with a Notice of Completion.	Not later than thirty (30) calendar days following the completion of construction.
Release of Quitclaim Deed by City.	Upon issuance of certificates of occupancy for the Project.



Federal Justice Tower
DHS/US Attorneys Office Building
501 Las Vegas Blvd. Las Vegas, Nevada



SDA
Inc.
Development



CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"Agency" means the City of Las Vegas Redevelopment Agency.

"Board" means the governing body of the City of Las Vegas Redevelopment Agency.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution RA-4-99 adopted by the governing board of the Agency, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas Redevelopment Agency must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolution referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the Agency and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the Agency in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the Agency of any material change may result, at the option of the Agency, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 1	<u>Contracting Entity</u>
Las Vegas ICE, LLC	
Name	
Address	5655 S. Yosemite St. #301 Greenwood Village, CO 80111
Telephone	(303) 220-0500
EIN or DUNS	967744736

Block 2	Description
Subject Matter of Contract/Agreement:	
First Amendment to Disposition and Development Agreement	
RFP #:	N/A

Block 3	Type of Business
☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation	

Block 4	<u>Disclosure of Ownership and Principals</u>		
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Stephen M. Biagiotti	5655 S. Yosemite St #301 Greenwood Village, CO 80111	(303) 220-0500 x209
2.	Mark D. Canto	5655 S. Yosemite St #301 Greenwood Village, CO 80111	(303) 220-0500 x207
3.	Paula L. Woodward	5655 S. Yosemite St #301 Greenwood Village, CO 80111	(303) 779-4735
4.	Ellis and Yvette Landau	7571 Silver Meadow Court Las Vegas, NV 89117	(702) 368-1131
5.	H. Alan Dill	455 Sherman Street, Suite 300 Denver, CO 80203	(303) 777-3737
6.			
7.			
8.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 **Disclosure of Ownership and Principals - Alternate**

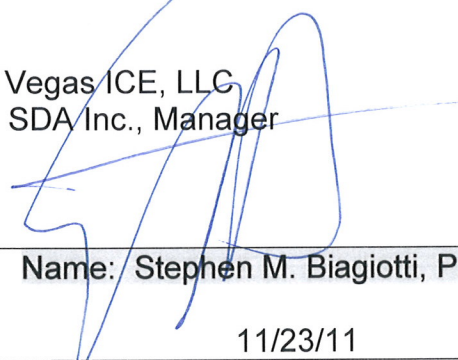
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: N/A

Date of Attached Document: _____ Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate.

Las Vegas ICE, LLC
By: SDA Inc., Manager

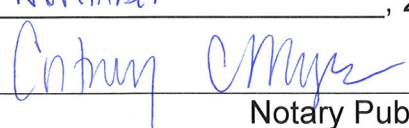


Name: Stephen M. Biagiotti, President

11/23/11
Date

Subscribed and sworn to before me this 23RD
day of

November, 2011.



Notary Public



Parcel Number List

139-34-310-061 - 501 S. Las Vegas Boulevard

139-34-310-062 - 507 S. Las Vegas Boulevard

139-34-710-001 - 500 S. 6th Street

139-34-310-076 - (no site address)

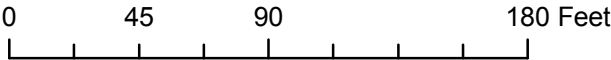
139-34-310-063 - 508 S. 6th Street

Site Map



Legend

Las Vegas ICE, LLC



12/6/11

AGENDA SUMMARY PAGE
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