

FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT

Oakey Drain – Cahlan Drive to Barnard Drive

THIS FIFTH SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 14th day of November, 2013 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".

WITNESSETH

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 generally identified in the 2013 Master Plan Update as Facility Numbers FWOK0076 and FWOK0100, 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 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.

WHEREAS, the Interlocal Contract dated December 10, 2009, the First Supplemental Interlocal Contract dated December 9, 2010, the Second Supplemental Interlocal Contract dated February 9, 2012, the Third Supplemental Interlocal Contract dated October 11, 2012 and the Fourth Supplemental Interlocal Contract dated January 10, 2013 were entered into between the CITY and the DISTRICT; and

WHEREAS, the City wishes to extend the project completion date.

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 III – GENERAL, paragraph 14 shall be revised to read as follows:

14. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2014. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

The remainder of this Interlocal Contract dated December 10, 2009 and First Supplemental Interlocal Contract dated December 9, 2010, the Second Supplemental Interlocal Contract dated February 9, 2012, the Third Supplemental Interlocal Contract dated October 11, 2012 and the Fourth Supplemental Interlocal Contract dated January 10, 2013 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this Fifth Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

Date of District Action

November 14, 2013

City of Las Vegas

Regional Flood Control District

By: _____
Carolyn G. Goodman, Mayor

By: Lawrence L. Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

Attest

By: _____
Beverly K. Bridges, MMC
City Clerk

By: Alexis Chirano
Secretary to the Board

Approved as to Form

Approved as to Form

By: John S. Ridilla 12/3/13
Deputy City Attorney Date
John S. Ridilla
Deputy City Attorney

By: Christopher Figgins 11/14/13
Christopher Figgins Date
Chief Deputy District Attorney

**PROPOSED REGIONAL
STORM DRAIN FACILITY**

EXISTING STORM
DRAIN FACILITY

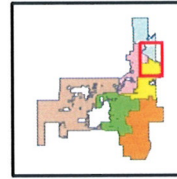


EXHIBIT A
OAKLEY DRAIN - CAHLAN DRIVE TO BARNARD DRIVE

Due to continuous development activity this map is for reference only.

F:\Work\pod\Eng\meeting_Planning\FloodARC VIEW\Exhibit A - OAKLEY BRUNN - Chitan Drive to Barnard Drive [AS109106]_19232009.mxd

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