

City of Las Vegas

**RECOMMENDING COMMITTEE MEETING
CITY HALL, 495 S. MAIN STREET
CITY CLERK'S 2ND FLOOR CONFERENCE ROOM
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**

**SEPTEMBER 6, 2016
10:00 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.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; 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. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM LUANN D. HOLMES, CITY CLERK, AT THE CITY CLERK'S OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2016-50 - ABEYANCE ITEM - For Possible Action - This ordinance amends LVMC Title Six to add a new section to provide business licensing regulations for the use of pedicabs and pedalbuses, amends LVMC 11.39 to revise and clarify the rules and regulations for pedicabs and pedalbuses, amends LVMC 6.44 for horse-drawn carriages and amends LVMC 11.02 to clarify where such vehicles may operate. Proposed by: Tom Perrigo, Director of Planning
4. Bill No. 2016-54 - For Possible Action - Annexation No. ANX-65208 - Property location: the northwest corner of Grand Canyon Drive and Verde Way; Petitioned by: THM Enterprises, LLC, predecessor-in-interest to current owners; Acreage: 6.78 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross
5. Bill No. 2016-55 - For Possible Action - Adopts an Amended and Restated Redevelopment Plan for the redevelopment area commonly known as Redevelopment Area 2, deleting one parcel from the redevelopment area associated with the Plan and making other technical adjustments. Sponsored by: Councilwoman Lois Tarkanian
6. Bill No. 2016-56 - For Possible Action - Annexation No. ANX-60805 - Property location: at the northwest corner of West Red Coach Avenue and Al Carrison Street; Petitioned by: PN II, Inc, predecessor-in-interest to current owners; Acreage: 5.16 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony
7. 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 forward 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
8. 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.

City of Las Vegas

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

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

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

SUBJECT:

CALL TO ORDER



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY CLERK

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SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2016-50 - ABEYANCE ITEM - For Possible Action - This ordinance amends LVMC Title Six to add a new section to provide business licensing regulations for the use of pedicabs and pedalbuses, amends LVMC 11.39 to revise and clarify the rules and regulations for pedicabs and pedalbuses, amends LVMC 6.44 for horse-drawn carriages and amends LVMC 11.02 to clarify where such vehicles may operate. Proposed by: Tom Perrigo, Director of Planning

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend LVMC Title Six to add a new section to provide business licensing regulations for the use of pedicabs and pedalbuses, amends LVMC 11.39 to revise and clarify the rules and regulations for pedicabs and pedalbuses, amends LVMC 6.44 for horse-drawn carriages and amends LVMC 11.02 to clarify where such vehicles may operate.

RECOMMENDATION:

ABEYANCE to the September 6, 2016 Recommending Committee Meeting

BACKUP DOCUMENTATION:

1. Bill No. 2016-50
2. Backup Submitted from the 8/1/2016 Recommending Committee Meeting

BILL NO. 2016-50

ORDINANCE NO. _____

AN ORDINANCE REGARDING THE USE OF NON-MOTORIZED VEHICLES ON CITY STREETS, INCLUDING ANIMAL-DRAWN VEHICLES, BY AMENDING LVMC TITLE SIX TO ADD A NEW SECTION TO PROVIDE BUSINESS LICENSING REGULATIONS FOR THE USE OF PEDICABS AND PEDALBUSES, BY AMENDING LVMC 11.39 TO REVISE AND CLARIFY THE RULES AND REGULATIONS FOR PEDICABS AND PEDALBUSES, BY AMENDING LVMC 6.44 FOR HORSE-DRAWN CARRIAGES, AND BY AMENDING LVMC 11.02 TO CLARIFY WHERE SUCH VEHICLES MAY OPERATE, AND FOR OTHER RELATED MATTERS.

Proposed by: Tom Perrigo, Planning Director

Summary: This ordinance amends LVMC Title Six to add a new section to provide business licensing regulations for the use of pedicabs and pedalbuses, amends LVMC 11.39 to revise and clarify the rules and regulations for pedicabs and pedalbuses, amends LVMC 6.44 for horse-drawn carriages and amends LVMC 11.02 to clarify where such vehicles may operate.

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

SECTION 1: Title 6, Chapter 44, Section 030, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.44.030: Prior to the issuance of any license by the Department, the applicant must:

(A) [Obtain pursuant to Chapter 11.30 the following regarding operations that are proposed for City streets and alleys:

(1) The approval of the City Council, upon the recommendation of the Traffic and Parking Commission, for all proposed operational routes, and

(2) The approval of the Traffic and Parking Commission for all proposed time schedules, parking areas and passenger loading and unloading areas;] Receive any and all approvals as required pursuant to LVMC Section 11.39;

(B) Obtain an Animal Inspection Certificate for each animal to be used in the operation of the business pursuant to Section 6.44.110 of this Chapter;

(C) Obtain and maintain a professional animal handler permit pursuant to Chapter

1 7.40; and

2 (D) Obtain the approval of all other State agencies, if any, which may have jurisdiction
3 over the operation of animal-drawn vehicles on public streets, including but not necessarily limited to, the
4 Transportation Services Authority.

5 SECTION 2: Title 6, of the Municipal Code of the City of Las Vegas, Nevada, 1983
6 Edition, is hereby amended by adding a new chapter, designated as Chapter 63, consisting of Sections 10 to
7 120 inclusive, to read as follows:

8 **6.63.010:** For purposes of this chapter, the following words shall have the meaning ascribed to them
9 as follows:

10 "Fare card" means a laminated document no larger than 8.5 by 11 inches, posted inside a human-powered
11 vehicle, that includes the following information: applicable fares, whether by distance, zone, or time of
12 operation, a picture of the operator and his or her name, the licensee's name, address, telephone number,
13 the City business license number and City-issued identification number for the human-powered vehicle.

14 "Human-powered vehicle" means a vehicle primarily moved by muscle power supplied by the operator, or
15 the passengers, or both operators and passengers. Supplemental power may be supplied by an electric
16 motor, provided that the electric motor is used only to augment the muscle power of the operator and/or
17 passengers. Such supplemental power may only be engaged as the sole means of propulsion in order to
18 start or park a human-powered vehicle.

19 "Operator" means any person operating or in actual physical control of a human-powered vehicle, or any
20 person sitting in the driver's seat of such vehicle with the intention of causing it to be moved.

21 "Pedicab" means a three-wheeled human-powered vehicle moved solely by the muscle power of the
22 operator, which is capable of carrying up to three passengers plus the operator.

23 "Pedalbus" means a human-powered vehicle that is capable of transporting four or more passengers, which
24 is steered by an operator that is not a passenger, and is powered by more than one individual, whether the
25 operator or passengers.

26 **6.63.020:** No person shall operate a pedicab or pedalbus, whether for fares, tips, donations or

1 gratuities or under contract to another business or organization, within the City without a valid business
2 license issued pursuant to this Chapter.

3 **6.63.030:** Applications for a license to operate a pedicab or pedalbus shall be made to the Department
4 pursuant to the provisions of LVMC Section 6.02. In addition to the information required by Chapter 6.02,
5 the applicant shall furnish with the application the following information:

6 (A) The number of pedicabs or pedalbuses to be operated pursuant to the license, and
7 the seating capacity, manufacturer and a scale drawing or photograph of each pedicab or pedalbus;

8 (B) A schedule of the rates charged to passengers;

9 (C) A street map showing the areas to be used by the pedicabs or pedalbuses, which
10 must be in conformance with LVMC Section 11.39, including the sites to be used for off-street storage of
11 vehicles and the location of all areas used for pick-up and discharge of passengers and areas for operator
12 rest; and

13 (D) A schedule of the hours of operation, which must be in conformance with LVMC
14 Section 11.39.

15 **6.63.040:** Prior to the issuance of any license by the Department, the applicant must:

16 (A) Receive any and all approvals required pursuant to LVMC Section 11.39; and

17 (B) Obtain the approval of all other State agencies, if any, which may have jurisdiction
18 over the operation of pedicabs or pedalbuses on public streets, including but not necessarily limited to, the
19 Nevada Transportation Authority.

20 **6.63.050:** (A) Operators shall, at all times, display fare cards in a prominent and conspicuous
21 location within the vehicle in a font size easily readable to passengers. The look, size, and quality of such
22 fare cards, and the display location within the vehicle shall be approved by the Director. In addition,
23 operators shall produce fare cards to city code enforcement officers, parking enforcement officers, business
24 license officers, or law enforcement agents upon demand.

25 (B) At all times, operators shall display to passengers in the pedicab or pedalbus, a
26 map of the approved operating areas within the Central Traffic District. The look, size and quality of such

map, and its location in the pedicab or pedalbus shall be approved by the Director.

(C) Licensee must display in a conspicuous manner, on the rear, upper left corner area of each pedicab or pedalbus, the number of the business license associated with it and an identification number particular to that vehicle that has been provided by the Director. The display shall be of such color, size and placement that the identification number can be easily read at a distance of ten feet.

6.63.060: (A) The Director may, by written department policy, limit the number of approved pedicabs and/or pedalbuses within the City, but only after consultation with the Director of Public Works and a showing that the public interest and safety of passengers and operators might be compromised if the number of pedicabs and/or pedalbuses is not so limited in number. The Director's decision is final.

(B) The Director may limit the number of approved pedicabs or pedalbuses pursuant to an issued license.

6.63.070: Operators of pedicabs or pedalbuses shall not obstruct the movement of a person in any manner or follow any person, for the purpose of soliciting patronage.

6.63.080: All pedicabs or pedalbuses utilized by a licensee in the conduct of his business must comply with the following requirements:

(A) Each shall be equipped with operating brakes meeting the performance requirements of NRS 484D.255.

(B) Operating headlamps, tail lamps, brake lamps and turn signals shall be provided in conformance with NRS 484D.

(C) No person shall be allowed to ride anywhere other than on the vehicle's seats.

(D) Each shall comply with all applicable state statutes and regulations.

(E) Each shall be maintained in a clean and sanitary condition at all times.

6.63.090: No pedicab shall be larger in capacity than for transport of three passengers, not including the operator.

6.63.100: (A) Before any license required in this Chapter is issued, the applicant shall obtain and maintain, at its own expense during the existence of its license or the operation of its business, a

1 comprehensive general public liability insurance in the amount of one million dollars, combined single
2 limit, with an excess umbrella policy of five million dollars. Coverage under this policy shall include as a
3 minimum the following: premises/operation, independent contractors, bodily injury, property damage,
4 products/completed operation, contractual liability and operation of human-powered vehicles.

5 (B) Insurance coverage shall be issued by a carrier authorized to issue such coverage in
6 the State of Nevada and approved by the Director.

7 (C) A certificate of insurance shall be provided to the Department prior to the issuance
8 of a business license.

9 (D) Any coverage provided in this section shall also contain a provision that the
10 cancellation, or material change in the coverage, of the insurance provided under this section shall not
11 become effective until the City has been given thirty days prior written notification.

12 (E) The City shall be named as an additional insured party under this insurance.

13 **6.63.110:** The provisions of this Chapter shall apply to any pedicab or pedalbus business licensed or
14 otherwise permitted by any provision of this Code prior to the adoption of this Chapter. Any such existing
15 pedicab or pedalbus business shall apply for and receive all necessary Title 6 licenses and LVMC Section
16 11.39 approvals, if necessary, prior to midnight on September 1, 2016. After such date, any existing
17 business not otherwise licensed pursuant to this Chapter shall cease any and all operations.

18 **6.63.120:** A licensee shall pay an annual license fee of one hundred dollars for each pedicab operated
19 as a part of the business. For purposes of this subsection, operation means a use of a pedicab on more than
20 one occasion during any annual period.

21 **6.63.130:** A licensee shall pay an annual license fee of three hundred dollars for each pedalbus
22 operated as a part of the business. For purposes of this subsection, operation means a use of a pedalbus on
23 more than one occasion during any annual period.

24 SECTION 3: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas,
25 Nevada, 1983 Edition, is hereby amended by adding a new section, designated as Section 25 to read as
26 follows:

1 **11.02.025:** "Central Traffic District" means the entirety of discrete area that is defined below as the
2 Northern Sector and Southern Sector of Central Traffic District.

3 SECTION 4: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas,
4 Nevada, 1983 Edition, is hereby amended by adding a new section, designated as Section 35 to read as
5 follows:

6 **11.02.035:** "Central Traffic District, Northern Sector" means an area that includes all streets, to
7 include curb, gutter and sidewalk, and portions of streets within the area described as follows: that discrete
8 area bounded by Grand Central Parkway from City Parkway to Charleston Boulevard on the west,
9 Maryland Parkway from Stewart Avenue to Charleston Boulevard on the east, Ogden Avenue from City
10 Parkway to Main Street, then Stewart Avenue from Main Street to Maryland Parkway on the north, and the
11 northern curb line of Charleston Boulevard from Grand Central Parkway to Maryland Parkway on the
12 south.

13 SECTION 5: Title 11, Chapter 2, of the Municipal Code of the City of Las Vegas,
14 Nevada, 1983 Edition, is hereby amended by adding a new section, designated as Section 37 to read as
15 follows:

16 **11.02.037:** "Central Traffic District, Southern Sector" means an area that includes all streets and
17 portions of streets within the area described as follows: that discrete area bounded Commerce Street from
18 the southern curb line of Charleston Boulevard to Philadelphia Avenue on the west, Las Vegas Boulevard
19 from Charleston Boulevard to Oakey Boulevard on the east, Oakey Boulevard from Commerce Street to
20 Las Vegas Boulevard on the South and the southern curb line of Charleston Boulevard from Commerce
21 Street to Las Vegas Boulevard on the North.

22 SECTION 6: Title 11, Chapter 39, of the Municipal Code of the City of Las Vegas,
23 Nevada, 1983 Edition, is hereby amended to read as follows:

24 **11.39.010:** The City Council declares as a matter of legislative determination that:

25 (A) The growth of Las Vegas and the continuing expansion of hotels, casinos and other
26 businesses in downtown Las Vegas are drawing increasing numbers of pedestrians and vehicles to the

1 downtown area.

2 (B) Because of the influx of pedestrians and motor vehicles, the streets are becoming
3 more congested. In this context, the introduction of slower-moving vehicles such as animal-drawn vehicles,
4 [rickshaws and] pedicabs, and pedalbuses into downtown traffic poses unacceptable hazards to those
5 persons using the streets downtown.

6 (C) In hearings conducted regarding the use of such vehicles, the predecessor to the
7 Public Utilities Commission of Nevada acknowledged the authority of the City to regulate the use of its
8 streets for the public safety and welfare.

9 (D) The regulations contained in this Chapter are necessary for the public safety and
10 welfare.

11 **11.39.020:** Unless the context otherwise requires, the terms and words used in this chapter shall have
12 the meaning ascribed to them in Chapter 11.02 of this Title and in this Section:

13 (A) "Bicycle" means a device propelled by human power upon which a person may
14 ride, having two tandem wheels, either of which is over fourteen inches in diameter, or every such device
15 generally recognized as a bicycle, though equipped with two front or two rear wheels, except a moped.

16 [(B) "Pedicab" means a three-wheeled bicycle designed to carry one or more
17 passengers.

18 (C) "Rickshaw" means a two-wheeled vehicle designed to carry one or more
19 passengers that is pulled by one or more persons.]

20 (B) "Human-powered vehicle" means a vehicle primarily moved by muscle power
21 supplied by the operator, or the passengers, or both operators and passengers. Supplemental power may be
22 supplied by an electric motor, provided that the electric motor is used only to augment the muscle power of
23 the operator and/or passengers. Such supplemental power may only be engaged as the sole means of
24 propulsion in order to start or park a human-powered vehicle.

25 (C) "Pedicab" means a three-wheeled human-powered vehicle moved solely by the
26 muscle power of the operator, which is capable of carrying up to three passengers plus the operator.

1 (D) “Pedalbus” means a human-powered vehicle that is capable of transporting four or
2 more passengers, which is steered by an operator that is not a passenger, and is powered by more than one
3 individual, whether the operator or passengers.

4 **11.39.030:** It is unlawful for any person, unless exempted by Section 11.39.040 or by
5 specific action of the City Council, to operate, drive or propel an animal-drawn vehicle, pedicab or
6 [rickshaw on public streets in that area of the City bounded by Main Street on the west, Stewart Avenue on
7 the north, Seventh Street on the east, and Bridger Avenue on the south. The area described by this Section
8 shall include those portions of Main Street, Stewart Avenue, Seventh Street and Bridger Avenue that make
9 up the boundaries of the area.] pedalbus on public streets beyond the boundaries of the area designated as
10 the Central Traffic District.

11 **11.39.040:** The following persons are exempt from the restriction of Section 11.39.030:

- 12 (A) Persons riding bicycles and not carrying passengers for hire; and
13 (B) Persons operating, driving or propelling animal-drawn vehicles[, pedicabs or
14 rickshaws] in any parade for which a permit has been issued pursuant to this Title.

15 **11.39.050:** [Routes for the operation of rickshaws, pedicabs, and animal-drawn vehicles may be
16 established on public streets subject to the provisions of Section 11.39.030 of this Chapter and the
17 following restrictions:

18 (A) A vehicle subject to this Chapter shall be operated only upon the routes approved
19 by the City Council upon the recommendation of the Traffic and Parking Commission and pursuant to time
20 schedules approved by the Traffic and Parking Commission.

21 (B) The City Traffic Engineer may reject any proposed route or time schedule that
22 would present a hazard to the public health, safety or welfare, or interfere with the safe and efficient
23 operation of vehicular traffic on any public street.

24 (C) The Traffic and Parking Commission shall review annually all routes approved
25 pursuant to this Section in light of changed conditions on those routes that affect the public health, safety or
26 welfare, or the safe and efficient operation of vehicular traffic on the affected public streets.

1 (1) If the operating conditions on a given route have not changed so as to
2 adversely affect the public health, safety or welfare, or the safe and efficient operation of vehicular traffic
3 on the affected public streets, the Commission shall recommend that the City Council approve the
4 licensee's use of those routes for the following year.

5 (2) If the operating conditions on a given route have changed to as to
6 adversely affect the public health, safety or welfare, or the safe and efficient operation of vehicular traffic
7 on the affected public streets on a continuing basis, the Commission shall recommend that the City Council
8 prohibit the licensee's use of that portion of the route so affected.

9 (D) Any route or time schedule approved pursuant to this Chapter shall be subject to
10 the right of the City to prohibit or suspend the use of the City streets by the licensee when such operation
11 would pose an immediate hazard to the safety requirements of the public or interfere with special events
12 approved by the City.

13 (E) Modifications to the approved route and time schedule may be issued by the
14 Traffic Engineer to the licensee for special purposes for a period not to exceed ten days. Permanent
15 modifications to the approved route and time schedule must be approved by the Traffic and Parking
16 Commission. Said modifications shall be subject to approval by any other regulatory agency having
17 jurisdiction over the licensee, such as the Public Service Commission.]

18 A person may operate an animal-drawn vehicle, pedicab or pedibus on any public street within the Central
19 Traffic District, except as otherwise follows:

20 (A) Between the hours of three p.m. and six p.m., animal-drawn vehicles, pedicabs and
21 pedaluses are prohibited on the entire length of Main Street and 4th Street, or on Stewart Avenue between
22 4th Street and 6th Street, except on Saturdays, Sundays, and holidays.

23 (B) Animal-drawn vehicles, pedicabs and and pedaluses are prohibited on the entire
24 length of Las Vegas Boulevard, Maryland Parkway, and Charleston Boulevard, or on Casino Center
25 Boulevard south of Carson Avenue, notwithstanding the inclusion of these streets within the Central Traffic
26 District.

1 (C) Animal-drawn vehicles are not permitted on the entire length of Fremont Street.

2 (D) Upon the request of the Traffic Engineer, the Traffic and Parking Commission
3 shall review the boundaries of the Central Traffic District, the prohibited streets, the restricted streets, and
4 hours of restriction in light of changed conditions on those routes that affect the public health, safety or
5 welfare, or the safe and efficient operation of vehicular traffic on the affected public streets. If the
6 operating conditions within the Central Traffic District have changed as to adversely affect the public
7 health, safety or welfare, or the safe and efficient operation of vehicular traffic on a continuing basis, the
8 Commission shall recommend to the City Council modifications to the Central Traffic District boundaries,
9 the prohibited streets, the restricted streets, or hours of restriction.

10 (E) The City may prohibit or suspend the use of the public streets by an operator of an
11 animal-drawn vehicle, pedicab or pedibus when such operation would pose a hazard to the public or
12 interfere with special events approved by the City. Except for emergency declarations, the Traffic Engineer
13 shall endeavor to provide seventy-two hours notice of a prohibition or suspension to such operators, and
14 such prohibition or modification shall not exceed sixty days without another notice of prohibition or
15 suspension from the Traffic Engineer.

16 **11.39.060:** [Rickshaws, pedicabs] Pedicabs, pedalbuses and animal-drawn vehicles may be operated
17 [on approved routes,] within the Central Traffic District, subject to the following restrictions:

18 (A) Animal-drawn vehicles. The vehicles shall pick up, [and] discharge passengers
19 and park only at designated stands approved by the Traffic [and Parking Commission.

20 (B) The vehicles shall park only in designated stands approved by the Traffic and
21 Parking Commission.] Engineer and the Parking Services Manager, and the operator shall receive approval
22 of such designated areas prior to receiving a Title 6 business license to operate. If the operator chooses to
23 utilize a spot on a public street to park, the operator must enter into a space rental agreement or other
24 agreement, as applicable, with the CLV Parking Services division prior to receiving a Title 6 business
25 license to operate.

26 (B) Pedicabs.

1 (1) Loading and unloading passengers. A pedicab shall only remain standing
2 upon a public street provided that such pedicab is located within a legal, metered parking space or a
3 designated loading zone, and only for the time required to load or unload passengers not to exceed three
4 minutes, or if parked in conformance with this Section as provided herein. Notwithstanding any provision
5 of the Code to the contrary, if the operator of a pedicab is actively loading or unloading passengers as
6 provided above within a legal, metered parking space, activation of the parking meter for such space
7 pursuant to LVMC Section 11.54 not required.

8 (2) Parking.

9 (a) If a pedicab is standing in a legal, metered parking space, but not
10 actively loading or unloading passengers, the operator of that pedicab shall immediately activate the meter
11 for such space as required by LVMC Section 11.54, unless that specific pedicab is the subject of a space
12 rental agreement with the City of Las Vegas Parking Service Department for that specified parking space.

13 (b) A provided by subsection (B)(1) above, a pedicab may only stand
14 in a designated loading zone for the time required to load or unload passengers, not to exceed three
15 minutes, and shall not park in such loading zone for any reason.

16 (c) Notwithstanding subsection (2)(a), above, a pedicab is prohibited
17 from parking or standing for any amount of time in specially-designated spaces by the City, such as
18 designated spaces for animal-drawn carriages, taxicabs, busses, and handicapped individuals, except and
19 unless the pedicab operator has executed a space rental agreement designating a specific parking space or
20 spaces for specified pedicabs with the City of Las Vegas Parking Service Department.

21 (C) Pedalbuses. Pedalbuses shall not park or remain standing upon any public street
22 for any reason, unless the pedibus is wholly-contained within an activated, metered parking space or
23 spaces, or is parking or standing in a parking space that is the subject of a space rental agreement with the
24 City of Las Vegas Parking Service division for that specified pedibus.

25 (D) Except when making left turns, [the] such vehicles shall be operated only in the
26 traffic lane nearest the curb on any public street and the [driver] operator shall obey all applicable State and

1 local traffic laws, ordinances and regulations.

2 SECTION 6: Title 11, Chapter 39, Section 070 of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby deleted in its entirety.

4 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
8 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
9 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
10 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

11 SECTION 8: Whenever in this ordinance any act is prohibited or is made or declared to
12 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
13 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
14 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
15 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
16 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
17 of this ordinance shall constitute a separate offense.

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

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 2016.

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 _____
13 James B. Lewis,
Deputy City Attorney

6/1/16
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____
2 day of _____, 2016, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2016, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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*Dedicated to the rescue and rehabilitation of homeless animals and the
reduction in pet overpopulation in Clark County*

July 31, 2016

City of Las Vegas Recommending Committee

Ref: Bill No. 2016-50 on Aug 1, 2016

Dear Members of the Recommending Committee:

The Las Vegas Valley Humane Society would like to express its disagreement with this bill. In a review of the changes, it appears that in 11.39.050 (A), more hours are allowed for this type of travel as the morning prohibition from 6 a.m. to 9:30 a.m. has been deleted; and, the boundaries of the area for allowed travel have been changed, although no map of the changes was provided (11.02.035). There are additional changes regarding picking up and discharging passengers. However, horse drawn conveyances are still allowed as seen in portions of this bill and references to Section 6.44-Horse Drawn and Other Animal Drawn Vehicles.

The Las Vegas Valley Humane Society has stated its opposition to horse drawn carriages in a previous request for licensing. This bill perpetuates a business, and expands the hours for operation of a business, that, so far as this organization is aware, does not even exist in the city of Las Vegas. The referenced Section 6.44 which defines the conditions for the horses drawing the carriages provides for highly questionable business practices; having the horses work six out of seven days and for 8 hours a day in up to 90 degree weather which means that the pavement in the sun is even hotter.

LVVHS proposes the Recommending Committee deny this bill and also suggest to the Planning Director to bring forth a proposal which deletes Section 6.44-Horse Drawn and Other Animal Drawn Vehicles in its entirety. It may also want to suggest that any reference to animal drawn conveyances be deleted from Section 11 other than to disallow them.

Some of the more pertinent sections of 6.44 are attached.

Cordially,

Karen Layne
President
702-354-8911

Submitted At Meeting
Recommending
Date Item Committee
8/1/16 3

- **6.44.090 - Animal nuisance control.**

(A)

All animals shall have shoeing approved by the City.

(B)

Except with respect to animals and vehicles operating upon equestrian trails designated and approved by the City:

(1)

Each animal used to pull any vehicle shall be equipped with a manure-catching device approved by the City to hold the manure until the operator is able to place it in a standard wire-tie plastic bag which he shall carry with him for permanent disposal upon returning to the base of operations.

(2)

Each animal-drawn vehicle shall be equipped with a chemical approved by the City which is to be poured over horse urine by the driver so as to break down and eliminate accumulated agents and odor.

(3)

Each animal used to pull any vehicle must be treated with insect repellent.

(Ord. 5972 § 5, 2008: Ord. 3317 §§ 12 (part), 21, 1987

- **6.44.120 - Animal working conditions.**

Except as otherwise specifically provided by and pursuant to a contract with the City to operate in City parks or other locations described in the contract, all persons licensed under this Chapter must provide the following working conditions for animals used pursuant to that license:

(A)

No vehicle pulled by an animal may hold more than five passengers, including the driver, unless otherwise approved by the Department.

(B)

No animal may be required to work more than eight hours in any twenty-four-hour period or more than six days in any seven-day period.

(C)

Each animal must be provided with a ten-minute rest period each hour and a one-hour rest period every four hours.

(D)

No animal may be required to pull a vehicle at a speed faster than a slow trot.

(E)

No animal may be worked with equipment causing an impairment of vision, other than normal blinders.

(F)

No animal may be subjected to any condition or treatment which will impair the good health and physical condition of the animal.

(G)

Each animal must be provided with its own custom-fitted harness, properly oiled and cleaned so as to be soft at all times. The harness must be kept free of makeshift wires, sisal ropes and rusty chains.

(H)

No animal may be whipped, unless the whipping is necessary for the safety of the animal or passengers.

(I)

Adequate water must be provided to each animal at hourly intervals.

(J)

No animal may be required to work when the temperature exceeds ninety degrees Fahrenheit as measured along the operational routes for the animal-drawn vehicles.

(K)

No animal may be equipped with devices intended to alter or impair its natural or normal movement.

(L)

Each animal must have reached its third birthday.

(Ord. 5972 § 8, 2008; Ord. 3317 §§ 12 (part), 24, 1987)

- **6.44.130 - Animal care.**

Each animal used in the operation of a animal-drawn vehicle business must be kept and maintained in accordance with the following conditions:

(A)

Adequate shade and ventilation must be provided for stalls.

(B)

Ceilings in the stalls or corrals must be at least ten feet high from the bedding and flooring.

(C)

Bedding in the stalls or corrals must be at least six inches deep and dry enough so as not to show wetness under the pressure of the animal's hooves.

(D)

Foot hazards and sharp surfaces are not permitted in any area where they may come in contact with the animal.

(E)

Roofs must be kept free of leaks where the animal is kept.

(F)

Each animal must have a stall large enough for the animal to turn around.

(G)

Food and water must be kept free of contamination, and adequate water must be available at all times.

(H)

Animal areas must be treated to destroy and repel insects.

(I)

Stalls and corrals must be kept in a clean, dry and reasonably sanitary condition.

(Ord. 3317 §§ 12 (part), 25, 1987)

- **6.44.140 - Animal harassment.**

It is unlawful for any person to harm, harass, tease, frighten or annoy any animal drawing a vehicle upon a public street within the City or to interfere with the driver of the vehicle in his management or control of the animal.

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016**

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

Bill No. 2016-54 - For Possible Action - Annexation No. ANX-65208 - Property location: the northwest corner of Grand Canyon Drive and Verde Way; Petitioned by: THM Enterprises, LLC, predecessor-in-interest to current owners; Acreage: 6.78 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

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

The proposed ordinance annexes certain real property generally located on the northwest corner of Grand Canyon Drive and Verde Way. The annexation is at the request of the current or previous property owner(s). The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 9, 2016) is set by this ordinance.

RECOMMENDATION:

At the August 3, 2016 City Council Meeting, City Council referred this bill to the September 6, 2016 Recommending Committee Meeting. No Recommending Committee Meeting was held on August 15, 2016.

BACKUP DOCUMENTATION:

Bill No. 2016-54 and location map

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BILL NO. 2016-54

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-65208)

Sponsored by: Councilman Steven D. Ross Summary: Annexes property described as generally located on the northwest corner of Grand Canyon Drive and Verde Way.

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

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

Those portions of the Northeast Quarter (NE 1/4) of the Southeast (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 31, Township 19 South, Range 60 East, M.D.M. in Clark County, State of Nevada being all of amended final map of a portion of MOUNTAIN VISTA as shown on Book 146 of Plats, Page 45 of Clark County, Nevada records, together with adjoining half street 30.00 feet right of way of La Madre Way, adjoining half street 40.00 feet right of way of Grand Canyon Drive, adjoining half street 30.00 feet right of way of Verde Way, together with that parcel of land as shown on Parcel Map in File 111, Page 70 of Clark County, Nevada records together with adjoining half street 30.00 feet right of way of Verde Way, and adjoining half street 30.00 feet right of way of Jensen Street described as follows:

BEGINNING at the northwest corner of the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 31; thence along the north line of said East Half (E 1/2) and the centerline of La Madre Way, North 88°37'34" East 201.44 feet; thence departing said north line and centerline at a right angles, South 01°22'26" East 30.00 feet to the northeast corner of said amended final map of MOUNTAIN VISTA; thence along the northeast boundary of said amended final map of MOUNTAIN VISTA the following three (3) courses: 1) South 21°36'34" West 166.40 feet, 2) South 00°00'13" West 15.57 feet, 3) North 88°38'10" East 140.95 feet to the east line of said amend final map of MOUNTAIN VISTA; thence perpendicular to the east line of said East Half (E 1/2), North 89°59'26" East 40.00 feet to the centerline of Grand Canyon Drive and the east line of said East Half (E 1/2); thence along said centerline and east line, South 00°00'34" East 473.41 feet to the southeast corner of said Northeast Quarter (NE 1/4) and the centerline intersection with Verde Way; thence along the south line of said Northeast Quarter (NE 1/4) and centerline of Verde Way, South 88°40'12" West 644.26 feet to the southwest corner of said Northeast Quarter (NE 1/4) and the centerline intersection with Jensen Street; thence along the west line of said Northeast Quarter (NE 1/4) and centerline of Jensen Street, North 00°03'02" East 336.36 feet to the northwest corner of the Southwest Quarter (SW 1/4) of said Northeast Quarter (NE 1/4) as shown on said Parcel Map in File 111, Page 70; thence along the north line of the Southwest Quarter (SW 1/4) of said Northeast Quarter (NE 1/4) and the western prolongation of the north line of said Parcel Map in File 111, Page 70, North 88°38'53" East 321.96 feet to the west line of said amended final map of MOUNTAIN VISTA also being the west line of said East Half (E 1/2); thence along the west line of said East Half (E 1/2) and the northern prolongation of the west line of said amended final map of MOUNTAIN VISTA, North 00°01'14" East 336.48 feet to the POINT OF BEGINNING.

BASIS OF BEARINGS: North 88°37'34" East being the north line of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 31, Township 19 South, Range 60 East, M.D.M., Clark County, Nevada as shown on Book 134 of Plats, Page 64 of Clark County Nevada records.

Prepared by:
Brian Yu, PLS
City of Las Vegas
Dept. of Public Works,
Right-of-Way,
333 N. Rancho Drive, 8th Floor
Las Vegas, NV 89106
byu@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time

1 the annexation proceedings were instituted;

2 B. More than one-eighth (1/8) of the aggregate external boundaries of the
3 area are contiguous to the City;

4 C. The territory proposed to be annexed is not included within the boundaries
5 of another incorporated city or within the boundaries of any unincorporated town as those
6 boundaries existed as of July 1, 1983;

7 D. The City is eligible to annex the described territory because the present or
8 previous landowners have signed a petition constituting one hundred percent (100%) of the owners
9 of record of individual lots or parcels of land within the annexation area.

10 SECTION 3: The City will provide police protection through the Las Vegas
11 Metropolitan Police Department, fire protection, street maintenance, and library services
12 immediately upon annexation. Garbage collection by the company franchised by the City will also
13 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
14 Any connection to or extension of this sewer line to serve the annexation area shall be at the
15 expense of the landowners. Other services, such as participation in the City's recreational
16 programs, special education classes and programs, public works planning, building inspections, and
17 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
18 and water are provided by private utility companies and other services to the area will not be
19 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
20 in place at the time of annexation will be installed in the presently developed areas upon the request
21 of the property owners and at their expense by means of special assessment districts. Such
22 improvements will be extended into the undeveloped areas as development takes place and the
23 need therefor arises, and will be located according to the needs of the area at that time. Such
24 installations will also be made at the expense of the property owners, either by means of special
25 assessment districts or as prerequisites to the approval of subdivision plats, building permits or

1 other land use or development applications.

2 SECTION 4: The annexation of the described territory shall become effective
3 on the 9th day of November, 2016, and on that date the City will have the funds appropriated in
4 sufficient amount to finance the extension into the described territory of police protection, fire
5 protection, street maintenance, street sweeping, and street lighting maintenance.

6 SECTION 5: The described territory, together with the inhabitants and property
7 thereof, shall, from and after the 9th day of November, 2016, be subject to all debts, laws,
8 ordinances and regulations in force in the City and shall be entitled to the same privileges and
9 benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

10 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
11 accurate map or plat of the described territory and to record the map or plat, together with a
12 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
13 which recording shall be done prior to the 9th day of November, 2016.

14 SECTION 7: The described territory, which previously has been zoned R-E
15 (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification),
16 which is deemed to be the City equivalent of the County classification.

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

25 SECTION 9: All ordinances or parts of ordinances or sections, subsections,

1 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____,
4 2016.

5 APPROVED:

6
7 By _____
CAROLYN G. GOODMAN, Mayor

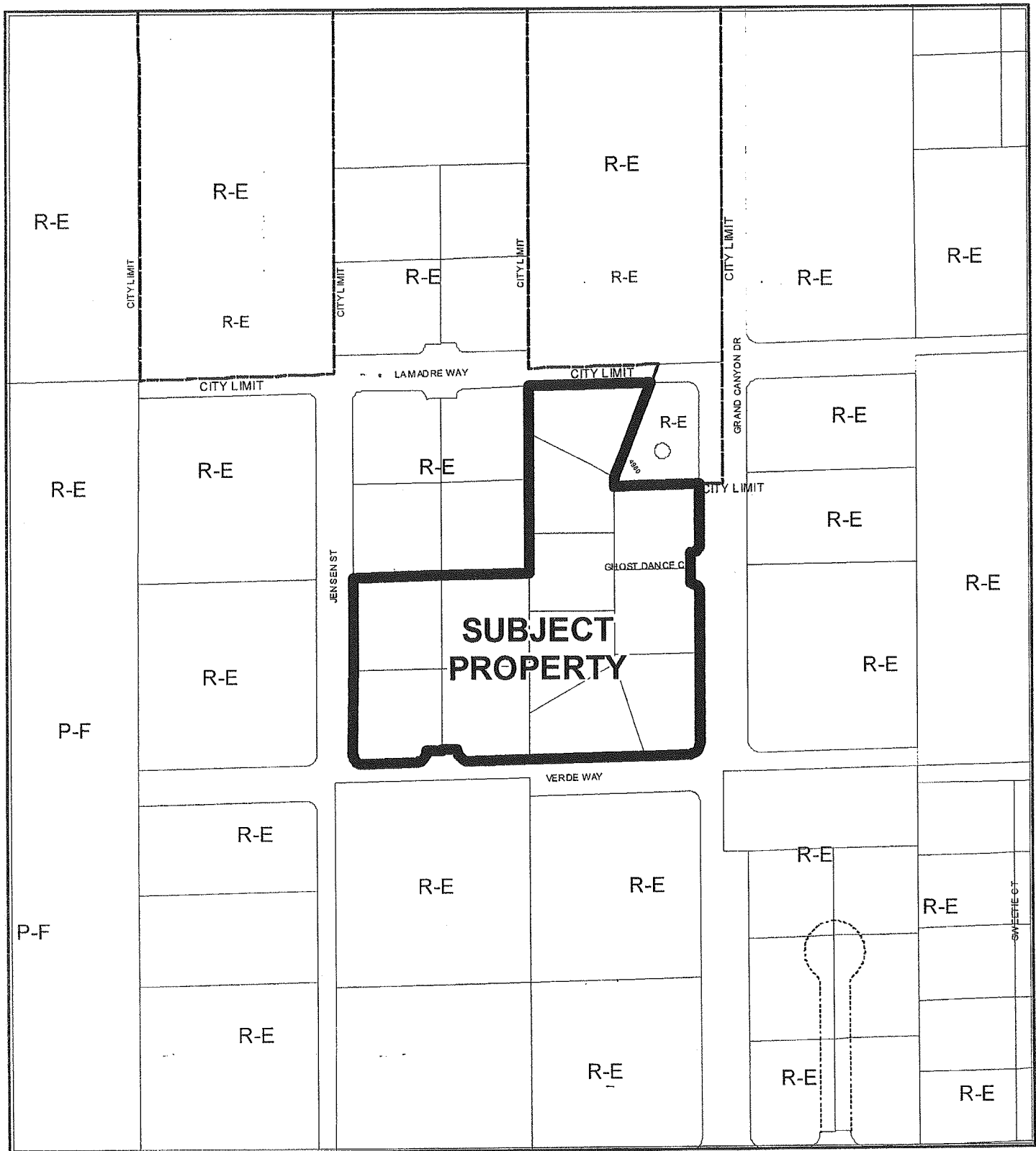
8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

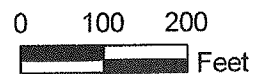
11 APPROVED AS TO FORM:

12 Val Steed 7.20.16
13 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2016, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____;
5 thereafter the said committee reported favorably on said ordinance on the ____ day of
6 _____, 2016, which was a _____ meeting of said Council;
7 that at said _____ meeting, the proposed ordinance was read by title to the
8 City Council as first introduced and adopted by the following vote:
9 VOTING "AYE": _____
10 VOTING "NAY": _____
11 ABSENT: _____
12
13 APPROVED:
14
15 By _____
16 CAROLYN G. GOODMAN, Mayor
17
18 ATTEST:
19 _____
20 LUANN D. HOLMES, MMC
21 City Clerk
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25



CASE: ANX-65208



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2016-55 - For Possible Action - Adopts an Amended and Restated Redevelopment Plan for the redevelopment area commonly known as Redevelopment Area 2, deleting one parcel from the redevelopment area associated with the Plan and making other technical adjustments. Sponsored by: Councilwoman Lois Tarkanian

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will adopt an Amended and Restated Redevelopment Plan for the redevelopment area commonly known as Redevelopment Area 2, deleting one parcel from the redevelopment area associated with the Plan and making other technical adjustments. The adjustments bring the Plan into conformance with State law and with the Plan for Redevelopment Area 1.

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. 2016-55
2. Amended and Restated Redevelopment Plan

1 **BILL NO. 2016-55**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE PERTAINING TO COMMUNITY REDEVELOPMENT; ADOPTING AN
4 AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE REDEVELOPMENT AREA
5 COMMONLY KNOWN AS REDEVELOPMENT AREA 2, DELETING ONE PARCEL FROM THE
6 REDEVELOPMENT AREA ASSOCIATED WITH THAT PLAN AND MAKING OTHER TECHNICAL
7 ADJUSTMENTS CONSISTENT WITH THE REDEVELOPMENT PLAN FOR REDEVELOPMENT
8 AREA 1; AND PROVIDING FOR OTHER RELATED MATTERS.

9 Sponsored by: Councilwoman Lois Tarkanian

Summary: Adopts an Amended and Restated
Redevelopment Plan for the redevelopment area
commonly known as Redevelopment Area 2,
deleting one parcel from the redevelopment area
associated with the Plan and making other
technical adjustments.

10
11 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
12 FOLLOWS:

13 WHEREAS, on August 15, 2012, by means of Ordinance No. 6205, the City Council
14 approved and adopted a Redevelopment Plan for an area commonly known as Redevelopment Area 2; and

15 WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") has been
16 established and authorized to be the official redevelopment agency to carry out in the City the functions and
17 requirements of the Community Redevelopment Law of the State of Nevada (NRS 279.382 et seq.) and to
18 implement redevelopment plans within the City; and

19 WHEREAS, the Agency has proposed to amend the Redevelopment Plan for
20 Redevelopment Area 2 by means of an Amended and Restated Redevelopment Plan, which is attached
21 hereto and incorporated herein by this reference; and

22 WHEREAS, the Amended and Restated Redevelopment Plan for Redevelopment Area 2
23 (the "2016 Amended Plan") will delete one parcel from Redevelopment Area 2 and make other technical
24 adjustments consistent with the redevelopment plan for Redevelopment Area 1; and

25 WHEREAS, the Agency and the City Council have held public hearings on July 20, 2016,
26 and August 3, 2016, respectively, to consider adoption of the proposed 2016 Amended Plan; and

1 WHEREAS, notices of those hearings were duly published in the *Las Vegas Review*
2 *Journal*, a newspaper of general circulation in the City; and

3 WHEREAS, copies of the notice of hearing by the Agency and of the intent to delete the
4 one parcel of land were mailed by first-class mail to the last known owner of that parcel; and

5 WHEREAS, the City Council has considered the report and recommendation of the
6 Agency, as well as the proposed Amended Plan; has provided an opportunity for all interested persons to be
7 heard; and has received and considered all evidence and testimony presented for or against any and all
8 aspects of the proposed Amended Plan; and

9 WHEREAS, all actions required by law have been taken by all appropriate public bodies.

10 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES
11 HEREBY ORDAIN AS FOLLOWS:

12 SECTION 1: The purpose and intent of the City Council with respect to Redevelopment
13 Area 2, as originally approved and as proposed to be amended, is to accomplish the following:

14 (A) The elimination of environmental deficiencies and blight, which constitute either
15 social or economic liabilities (or both) and require redevelopment in the interests of the health, safety and
16 general welfare of the people, including, among others, small and/or irregular lots, obsolete and aged
17 building types, economic and social deficiencies, deteriorated public improvements, inadequate parking
18 facilities and inadequate utilization of land and public facilities;

19 (B) The assembly of land into parcels suitable for modern, integrated development and
20 allowing for improved pedestrian and vehicular circulation;

21 (C) The replanning, redesign and development of undeveloped areas which are
22 stagnant or improperly utilized;

23 (D) The strengthening of retail, office and other commercial and residential functions
24 in Redevelopment Area 2;

25 (E) The strengthening and diversification of the economic base within Redevelopment
26 Area 2 and the community by the installation of needed site improvements to stimulate new commercial

1 expansion, employment and economic growth;

2 (F) The provision of adequate land for parking and open spaces;

3 (G) The establishment of financial mechanisms to assist in the upgrading and/or
4 redevelopment of properties in Redevelopment Area 2;

5 (H) The provision of necessary public improvements to correct existing deficiencies;

6 (I) The establishment and implementation of performance criteria to assure high site
7 design standards and environmental quality and other design elements;

8 (J) The minimization of conflict between pedestrian and automobile traffic and the
9 improvement of transportation efficiency;

10 (K) The orderly development of Redevelopment Area 2;

11 (L) The rehabilitation and preservation of historically and architecturally worthwhile
12 structures and sites;

13 (M) The provision of an environment where a socially balanced community can work
14 and live by providing jobs and housing for persons of varying social, economic and ethnic groups; and

15 (N) The upgrading of the quality of life in Redevelopment Area 2.

16 SECTION 2: The City Council hereby finds and determines that:

17 (A) Redevelopment Area 2, as originally approved and as proposed to be amended, is a
18 blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the
19 Community Redevelopment Law. This finding is based upon the following conditions within
20 Redevelopment Area 2, at least four of which characterize each portion of Redevelopment Area 2:

21 (1) The existence of buildings and structures, used or intended to be used for
22 residential, commercial, industrial or other purposes, or any combination thereof, which are unfit or unsafe
23 for those purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile
24 delinquency or crime because of one or more of the following factors:

25 (a) Defective design and character of physical construction.

26 (b) Faulty arrangement of the interior and spacing of buildings.

1 (c) Inadequate provision for ventilation, light, sanitation, open spaces
2 and recreational facilities.

3 (d) Age, obsolescence, deterioration, dilapidation, mixed character or
4 shifting of uses.

5 (2) An economic dislocation, deterioration or disuse.

6 (3) The subdividing and sale of lots of irregular form and shape and
7 inadequate size for proper usefulness and development.

8 (4) The laying out of lots in disregard of the contours and other physical
9 characteristics of the ground and surrounding conditions.

10 (5) The existence of inadequate streets, open spaces and utilities.

11 (6) The existence of lots or other areas which may be submerged.

12 (7) Prevalence of depreciated values, impaired investments and social and
13 economic maladjustment to such an extent that the capacity to pay taxes is substantially reduced and tax
14 receipts are inadequate for the cost of public services rendered.

15 (8) A growing or total lack of proper utilization of some parts of the area,
16 resulting in a stagnant and unproductive condition of land which is potentially useful and valuable for
17 contributing to the public health, safety and welfare.

18 (9) A loss of population and a reduction of proper use of some parts of the
19 area, resulting in its further deterioration and added costs to the taxpayer for the creation of new public
20 facilities and services elsewhere.

21 (10) The environmental contamination of buildings or property.

22 (B) The 2016 Amended Plan will redevelop Redevelopment Area 2, as amended, in
23 conformity with the Community Redevelopment Law and in the interests of the health, safety and welfare
24 of the community, and will implement the objectives of the Community Redevelopment Law by: aiding in
25 the elimination and correction of the conditions of blight; providing for planning, development, redesign,
26 clearance, reconstruction or rehabilitation of properties which need improvement; improving, increasing

1 and preserving the supply of low- and moderate-income housing within the community; providing
2 additional employment opportunities; and providing for higher economic utilization of potentially useful
3 land.

4 (C) The 2016 Amended Plan is consistent with the General Plan of the City of Las
5 Vegas, as affirmed by the recommendation of the Planning Commission.

6 (D) The condemnation of real property, under the limited circumstances provided for
7 in the 2016 Amended Plan, is necessary to the execution of the Plan, and adequate provisions have been
8 made for payment for property to be acquired as provided by law. This finding is based upon the need to
9 ensure that the provisions of the Redevelopment Plan, as amended, will be carried out and to prevent the
10 recurrence of blight.

11 (E) Adequate permanent housing is or will be made available in the community for
12 displaced occupants of Redevelopment Area 2, as amended, at rents comparable to those in the community
13 at the time of displacement, if the 2016 Amended Plan results in the temporary or permanent displacement
14 of any occupants of housing in Redevelopment Area 2, as amended. This finding is based upon the fact
15 that the Agency's plan for relocation, provides for relocation assistance and benefits according to law and
16 authorizes the Agency to provide other assistance as determined to be appropriate under the circumstances.

17 (F) All noncontiguous areas of Redevelopment Area 2, as amended, are either blighted
18 or necessary for effective redevelopment of the Redevelopment Area. This finding is based upon the fact
19 that the boundaries of Redevelopment Area 2, as amended, were chosen to include lands that were
20 underutilized because of blighting influences, or affected by the existence of blighting influences and land
21 uses significantly contributing to the condition of blight, which inclusion is necessary to accomplish the
22 objectives and benefits of the 2016 Amended Plan.

23 (G) Inclusion of any lands, buildings or improvements within Redevelopment Area 2,
24 as amended, which are not detrimental to the public health, safety or welfare is necessary for the effective
25 redevelopment of the entire area of which they are a part. This finding is based upon the fact that the
26 boundaries of Redevelopment Area 2, as amended, were chosen as a unified and consistent whole to

1 include all properties contributing to or affected by the blighting conditions characterizing Redevelopment
2 Area 2.

3 (H) Adequate provisions have been made for the payment of the principal of and
4 interest on any bonds which may be issued by the Agency as provided in the 2016 Amended Plan. This
5 finding is based upon the fact that the Redevelopment Plan authorizes the allocation of taxes to the Agency
6 pursuant to NRS 279.676 ("tax increments") and pledges those tax increments to the repayment of
7 indebtedness incurred by the Agency to carry out projects in Redevelopment Area 2. Further, the
8 Redevelopment Plan authorizes the Agency to obtain financial assistance from available public or private
9 sources, including the City, State of Nevada and federal government, interest income, donations, loans from
10 private financial institutions and/or the lease or sale of Agency-owned property, in order to finance projects
11 in Redevelopment Area 2.

12 SECTION 3: The Redevelopment Plan for Redevelopment Area 2, as adopted by
13 Ordinance No. 6205, is hereby amended to read as set forth in the attached 2016 Amended Plan,
14 incorporated herein and made a part hereof by this reference. The 2016 Amended Plan so incorporated by
15 reference herein is designated as the official Redevelopment Plan for Redevelopment Area 2, as amended.
16 The 2016 Amended Plan includes and incorporates by reference the following documents which are not
17 attached to this Ordinance but have been part of previous versions of the Redevelopment Plan for
18 Redevelopment Area 2:

19 (A) Rules Governing Participation by Property Owners.

20 (B) City of Las Vegas Redevelopment Agency Relocation Rules and Regulations.

21 SECTION 4: The City Clerk is hereby directed to send a certified copy of this
22 Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the
23 Redevelopment Plan as amended by the 2016 Amended Plan.

24 SECTION 5: The City Clerk is hereby directed to record with the County Recorder of
25 Clark County a description of the land within Redevelopment Area 2, as amended, which shall reflect the
26 deletion of the parcel proposed to be deleted, along with any statement deemed necessary that proceedings

1 for the redevelopment of Redevelopment Area 2 have been instituted under the Community Redevelopment
2 Law.

3 SECTION 6: The City Clerk is hereby directed to transmit, within thirty days after the
4 approval and adoption of this Ordinance, a copy of the description and statement recorded pursuant to
5 Section 5 above, a copy of this Ordinance, and a map or plat indicating the boundaries of Redevelopment
6 Area 2, as amended, to:

7 (A) The auditor and tax assessor of Clark County;

8 (B) The officer who performs the functions of auditor or assessor for any taxing
9 agency which, in levying or collecting its taxes, does not use the Clark County assessment roll or does not
10 collect its taxes through Clark County; and

11 (C) The governing body of each of the taxing agencies which levies taxes upon any
12 property in Redevelopment Area 2, as amended.

13 SECTION 7: Staff of the Agency is authorized to adjust the 2016 Amended Plan to
14 combine and consolidate legal descriptions and exhibits, as well as corresponding adjustments to the text
15 referencing those descriptions, to the extent deemed necessary or appropriate in order to reflect the intent
16 and approval of the City Council.

17 SECTION 8: This Ordinance shall be in full force and effect the day after publication
18 pursuant to Section 9 hereof.

19 SECTION 9: The City Clerk is hereby ordered and directed to certify to the passage of
20 this Ordinance and to cause the same to be published by title, together with an adequate summary of the
21 Ordinance as adopted, once in the *Las Vegas Review Journal*, a newspaper of general circulation, published
22 and circulated in the City of Las Vegas, Nevada.

23 SECTION 10: If any section, subsection, subdivision, paragraph, sentence, clause or
24 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
25 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
26 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City

1 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
2 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
3 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

4 SECTION 11: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
6 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this _____ day of _____, 2016.

8 APPROVED:

9
10 By _____
CAROLYN G. GOODMAN, Mayor

11 ATTEST:

12 _____
13 LUANN D. HOLMES, MMC
City Clerk

14 APPROVED AS TO FORM:

15 Val Steed 8-2-16
16 Val Steed, Date
Deputy City Attorney

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2016, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2016, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

**AMENDED AND RESTATED
REDEVELOPMENT PLAN
FOR REDEVELOPMENT AREA 2**

Adopted and Approved By City Council

_____, 2016

**REDEVELOPMENT PLAN
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INTRODUCTION

I. INTRODUCTION

This is the Amended and Restated Redevelopment Plan for Redevelopment Area 2, which is located in the territorial jurisdiction of the City of Las Vegas (the “City”), State of Nevada. This Amended and Restated Redevelopment Plan (the “Amended Plan”) consists of text, a Map of Redevelopment Area 2, as amended (Exhibit “A”), and Legal Descriptions of Redevelopment Area 2, as amended (Exhibit “B”).

The Amended Plan amends the Redevelopment Plan pertaining to the original Redevelopment Area 2 created in 2012. The Amended Plan has been prepared pursuant to NRS 279.382 through 279.740, which provide for the exercise of redevelopment authority by a redevelopment agency.

Implementation of the Amended Plan by the City and the Redevelopment Agency of Las Vegas is governed by the provisions contained in the Amended Plan as it may be subsequently amended from time to time.

The definitions of general terms which are contained in NRS govern the construction of the Amended Plan, unless more specific terms and definitions are otherwise provided in the Amended Plan. All statutory references hereinafter shall be to NRS.

Many of the requirements contained in the Amended Plan are necessitated by and in accord with statutory provisions in effect at the time of adoption of the Amended Plan. Such statutory provisions may be changed from time to time. In the event that any such changes affect the requirements of the Amended Plan, and would be applicable to the Agency, Redevelopment Area 2, or the Amended Plan, whether or not the Amended Plan were formally amended to reflect such changes, the requirements of the Amended Plan that are so affected shall be superseded by such changes, to the extent necessary to be in conformity with such changes.

Redevelopment Area 2 includes all properties within the boundary shown in Exhibit “A” and described in Exhibit “B”.

The proposed redevelopment of Redevelopment Area 2 as described in the Amended Plan conforms to the Master Plan for the City of Las Vegas as applicable and as applied in accord with local codes and ordinances.

This Amended Plan is generally based upon the Preliminary Plan formulated and adopted by the Las Vegas Planning Commission (the “City Planning Commission”) on March 13, 2012.

The Amended Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in the Amended Plan for the redevelopment, rehabilitation, and revitalization of Redevelopment Area 2. The Amended Plan does not present a specific plan or establish priorities for specific projects

for the redevelopment, rehabilitation, and revitalization of any particular area within Redevelopment Area 2. Instead, the Amended Plan presents a series of ideas and recommendations for revitalization which are designed to reduce and eliminate decline and deterioration, stimulate new investment, stabilize the tax base and maintain the viability of existing businesses. The Amended Plan will also provide a basic framework within which specific development plans will be presented, priorities for specific projects will be established, and tools to fashion, develop, and proceed with such specific plans, projects and solutions will be provided to the Agency.

In general, the goals and objectives of the redevelopment program in Redevelopment Area 2 are as follows:

1. To eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of Redevelopment Area 2 in accordance with the Master Plan, the Redevelopment Plan, local codes and ordinances.
2. To achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.
3. To minimize unplanned growth by guiding revitalization activities and new development in such fashion as to meet the needs of Redevelopment Area 2, the City and its citizens.
4. To retain existing businesses by means of redevelopment and rehabilitation activities and by encouraging cooperation and participation of owners, businesses and public agencies in the revitalization of Redevelopment Area 2.
5. To encourage investment by the private sector in the development and redevelopment of Redevelopment Area 2 by eliminating impediments to such development and redevelopment.
6. To encourage maximum participation of residents, businesspersons, property owners, and community organizations in the redevelopment of Redevelopment Area 2.
7. To replan, redesign and develop areas which are stagnant or improperly used.
8. To insure adequate utility capacity to accommodate redevelopment and new development.

Redevelopment of Redevelopment Area 2 pursuant to the Amended Plan and the above goals and objectives will attain the purposes of the NRS Chapter 279 by:

- (1) elimination of areas suffering from economic dislocation, and disuse in

affected areas;

(2) replanning, redesign and/or redevelopment of areas which are stagnant or improperly utilized, in ways which could not be accomplished solely by private enterprise without public participation and assistance;

(3) protection and promotion of sound development and redevelopment of blighted areas and the general welfare of the citizens of the City by remedying such injurious conditions through the employment of appropriate means;

(4) installation of new, or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvement, facilities and utilities; and

(5) other means as determined appropriate.

GENERAL DEFINITIONS & REDEVELOPMENT AREA 2
BOUNDARY AND LEGAL DESCRIPTION

II GENERAL DEFINITIONS AND REDEVELOPMENT AREA 2 BOUNDARY AND LEGAL DESCRIPTION

A. General Definitions

The following definitions are used in the Amended Plan unless otherwise indicated by the text:

1. “Agency” means the Redevelopment Agency of the City of Las Vegas, Nevada.
2. “City” means the City of Las Vegas, Nevada.
3. “City Council” means the City Council of the City of Las Vegas.
4. “Community Redevelopment Law” means the Community Redevelopment Law of the State of Nevada (NRS 279.382 through 279.740).
5. “Redevelopment Area 2” means the area established by the Amended Plan and as depicted and described in the Exhibits attached hereto.
6. “Legislative Body” means the City Council of the City of Las Vegas.
7. “NRS” means the Nevada Revised Statutes for the State of Nevada.
8. “State” means the State of Nevada.
9. “County” means Clark County, Nevada.
10. “Amended Plan” means this Amended and Restated Redevelopment Plan for Las Vegas Redevelopment Area 2.

B. Redevelopment Area 2 Boundary And Legal Description

The boundaries of Redevelopment Area 2 are shown on the Redevelopment Area 2 Map attached as Exhibit “A” and are described in the Redevelopment Area 2 Legal Description attached as Exhibit “B.”

**PROPOSED
REDEVELOPMENT ACTIVITIES**

III. PROPOSED REDEVELOPMENT ACTIVITIES

A. General

The Agency proposes to eliminate and prevent the spread of blight and blighting influences, and strengthen the economic base of Redevelopment Area 2 and the City, by some or all of the following:

1. Permitting participation in the redevelopment process by owners and occupants of properties located in the Redevelopment Area, consistent with the Amended Plan and rules adopted by the Agency;
2. Acquisition of real property;
3. Management of property under the ownership and control of the Agency;
4. Relocation assistance to displaced occupants of property acquired by the Agency in Redevelopment Area 2;
5. Demolition of property for uses in accordance with the Amended Plan;
6. Redevelopment of land by private enterprise and public agencies for uses in accordance with the Amended Plan;
7. Rehabilitation of structures and improvements by present owners, their successors, and the Agency;
8. Provision of utilities, roads, streets, landscaping, parking facilities and other public improvements;
9. Consideration of the implementation of land use controls or regulations.
10. Development, capitalization and administration of a revolving loan fund (RLF) for lending purposes.

In the accomplishment of these activities, and in the implementation and furtherance of the Amended Plan, the Agency is authorized to use all the powers provided in the Amended Plan and all the powers to the extent now or hereafter permitted by law, which powers are not expressly limited by the Amended Plan.

B. Owner Participation and Business Reentry Preferences

1. Owner Participation

Owners of real property within Redevelopment Area 2 shall be extended reasonable opportunities to participate in the redevelopment of property in Redevelopment Area 2 if such owners agree to participate in the redevelopment in conformity with this Amended

Plan and the owner participation implementation rules adopted by the Agency. These owner participation opportunities are explained in more detail in the Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences for Property Owners.

In appropriate circumstances where such action would foster the goals and objectives contemplated by the Amended Plan, an owner may participate in substantially the same location either by retaining all or portions of his property; retaining all or portions of his property and purchasing adjacent property if needed and available for development; rehabilitating or demolishing all or part of his existing buildings; initiating new development; or selling property to the Agency.

Participation opportunities shall necessarily be subject to and limited by factors including but not limited to the following:

- (1) the elimination and/or modification, if any, of existing land uses;
- (2) the construction, vacation, realignment and/or alteration, if any, of existing streets;
- (3) the ability of participants to finance and complete proposed developments and rehabilitations;
- (4) the capability and/or experience of the owner participant, as determined by the Agency, to implement the proposed development;
- (5) the proposed land uses for redevelopment of Redevelopment Area 2;
- (6) intensification of certain land uses; and
- (7) the construction or expansion of public facilities.

2. Participation by Tenants

Non-property owners who are tenants engaged in business or residing in Redevelopment Area 2 shall be extended reasonable preferences if they wish to purchase property at their present location for the purpose of rehabilitating and/or expanding existing improvements or to build new improvements in conformance with the designated land uses and other requirements of the Amended Plan. However, the preference provided to such business or residential tenants will be subordinate to, or follow, the preference provided to the existing property owners.

Businesses and residential tenants may also submit proposals for rehabilitation and/or new development at locations other than their existing location, as long as said property conforms to the Amended Plan. However, no preference shall be provided to business and/or tenants for this type of proposal.

3. Participation Agreements

The Agency may require that, as a condition of participating in redevelopment, each participant shall enter into a binding written participation agreement with the Agency by which the participant agrees to rehabilitate, develop or use the property in conformance with the Amended Plan and to be subject to the provisions hereof and such other provisions and conditions to which the parties may agree. In such agreements, participants who retain real property may be required to make the provisions of the Amended Plan and such participation agreement applicable to their properties.

If an owner fails to participate in the redevelopment under a participation agreement, the Agency shall have the right to acquire the subject property for redevelopment by any legal means permitted under the law and the provisions of the Amended Plan. If so provided in the participation agreement, the price of such acquisition will be the property's fair market value at the time of execution of the participation agreement. Whether or not a participant enters into a participation agreement with the Agency, the provisions of the Amended Plan are applicable to all public and private property in Redevelopment Area 2.

4. Implementing Rules

The Owner Participation provisions shall be implemented according to the rules adopted by the Agency simultaneous with the adoption of the original version of this Plan, and as the same may be from time to time amended by the Agency. Where there is a conflict between the participation provisions in the Amended Plan and such rules adopted by the Agency, the Amended Plan shall prevail.

C. PROPERTY ACQUISITION

1. Acquisition of Real Property

The Agency may acquire, but is not required to acquire, any real property located in Redevelopment Area 2 by purchase, lease, option, gift, grant, bequest, devise, or eminent domain as authorized by law.

In accordance with NRS 279.471 to 279.4714, inclusive, the Agency may exercise the power of eminent domain to acquire property for a redevelopment project if: (a) the property sought to be acquired is necessary to carry out the Amended Plan; (b) the Agency has made a good faith reasonable effort to reach an agreement regarding the compensation to be paid by the Agency; and (c) the Agency has complied with the applicable NRS requirements for the Agency to exercise the power of eminent domain. The method the Agency would use to acquire property through eminent domain is further explained within its Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Property Owners.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest

in real property less than a fee.

Without the consent of the owner, the Agency shall not acquire property retained by an owner participant pursuant to a participation agreement if the owner fully performs under the agreement. The Agency shall not, without the consent of an owner, acquire real property on which an existing building is to be continued on its present site and in its present form and use unless such building requires structural alteration, improvement, modernization, or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use, or it is necessary to impose upon such property any of the standards, restrictions, and controls of the Amended Plan and the owner fails or refuses to participate in the Amended Plan by execution or fulfilling the obligations of a participation agreement.

2. Acquisition of Personal Property

Generally, personal property may not be acquired by the Agency. However, where necessary in the execution of the Amended Plan, the Agency is authorized to acquire personal property in Redevelopment Area 2 by any lawful means. The Agency may also acquire by gift, purchase, lease or eminent domain any personal property in connection with real property acquired by the Agency.

D. Property Management

The Agency is authorized to manage and control all real property owned, acquired or leased by it. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

E. Relocation of Persons (including Individuals and Families), Business Concerns and Others Displaced by the Project

1. Assistance in Finding Other Locations

The Agency shall assist all persons, business concerns, and others displaced by Agency action in Redevelopment Area 2 in finding other locations and facilities. In order to carry out the Amended Plan with a minimum of hardship to persons, business concerns, and others, if any, displaced from their respective places of residence or businesses, the Agency shall assist such persons, business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

2. Relocation Payments

The Agency shall make relocation payments for moving expenses and direct losses of personal property to persons, business concerns, and others displaced by Agency action in Redevelopment Area 2 and shall make additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to Chapter 342 of

NRS and the regulations previously adopted by the Agency and the City of Las Vegas. The Agency, at its option, may make such other payments as may be appropriate and for which funds are available.

F. Demolition, Clearance, Public Improvements, Building and Site Preparation

1. Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property acquired in Redevelopment Area 2 as necessary to carry out the purpose of the Amended Plan.

2. Public Improvements

The Agency is authorized to install and construct, or to cause to be installed and constructed, the public improvements, facilities and utilities necessary to carry out the Amended Plan. Such public improvements, facilities and utilities include, but are not limited to the following:

- (1) sewers;
- (2) storm drains;
- (3) electrical, natural gas, telephone and water distribution systems;
- (4) parks and plazas;
- (5) playgrounds;
- (6) parking and transportation facilities;
- (7) landscaped areas;
- (8) street and circulation improvements;
- (9) flood control improvements and facilities;
- (10) entryway features;
- (11) recreational improvements; and
- (12) other public facilities serving the needs of Redevelopment Area 2 occupants.

3. Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites, any real

property in Redevelopment Area 2 owned or acquired by the Agency.

G. Property Disposition and Development

1. Real Property Disposition and Development

a. General

For the purposes of the Amended Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. The Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding but only after a public hearing, notice of which shall be given by publication for not less than once a week for two weeks in a newspaper of general circulation published in Clark County.

A lease or sale by the Agency of real property acquired by it in Redevelopment Area 2 shall be conditioned on the redevelopment and use of the property in conformity with the Amended Plan.

All real property acquired by the Agency in Redevelopment Area 2 shall be sold or leased to public or private persons or entities for development for the uses permitted in the Amended Plan, and any such sale or lease may be for an amount at less than fair market value if necessary to effectuate the purposes of the Amended Plan. Real property may also be conveyed by the Agency to the City, and, where beneficial to the Redevelopment Area 2, to any other public body without charge or for an amount at less than fair market value.

All purchasers or lessees of property from the Agency shall be made obligated to use the property for the purposes designated in the Amended Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of the Amended Plan, including the provisions of the Agency's existing Employment Plan.

b. Employment Plan

Pursuant to NRS 279.482, the Agency shall, as it determines to be appropriate, require that a proposal for a redevelopment project include an employment plan in accordance with the Agency's Employment Plan Policy initially adopted on April 6, 2011 which includes:

(a) A description of the existing opportunities for employment within Redevelopment Area 2;

(b) A projection of the effect that the redevelopment project will have on opportunities for employment within Redevelopment Area 2; and

(c) A description of the manner in which an employer relocating his business into the Redevelopment Area 2 plans to employ persons living within the area of operation who are:

- (1) Economically disadvantaged;
- (2) Physically disabled;
- (3) Members of racial minorities;
- (4) Veterans; or
- (5) Women.

During the period of development in Redevelopment Area 2, the Agency shall ensure that the provisions of the Amended Plan and of other documents formulated pursuant to the Amended Plan are being observed, and that development in Redevelopment Area 2 is proceeding in accordance with development documents, reporting requirements and time schedules as stated in NRS 279.6092 through 279.6099.

c. Disposition and Development Documents

The Agency shall reserve powers and controls in disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is expeditiously carried out pursuant to the Amended Plan.

To provide adequate safeguards to ensure that the provisions of the Amended Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of the Amended Plan and any adopted Design Guidelines and other conditions imposed by the Agency by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the zoning ordinance, conditional use permits, or other means. Where appropriate as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of Clark County.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, or any other provision necessary to carry out the Amended Plan.

d. Development Financing by the Agency or Other Public Bodies or Entities

1. The Agency may, with the consent of the Legislative Body, pay all or part of the value of the land for, and the cost of the construction of, any building, facility, structure or other improvement and the installation of any improvement which is publicly or privately

owned and located within or without Redevelopment Area 2.

2. Within 14 days before a meeting at which the Legislative Body is scheduled to consider an action proposed by the Agency pursuant to subsection 1, the Agency shall make available to the public a detailed report which includes, without limitation:

(a) A copy of any contract, memorandum of understanding or other agreement between the Agency or the Legislative Body and any other person relating to the redevelopment project.

(b) A summary of the redevelopment project which includes, without limitation:

(1) A full and complete description of:

(I) The costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the Agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.

(II) The estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the Amended Plan.

(III) The estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease. If the sale price or present value of the total rental amount to be paid to the Agency or Legislative Body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the Amended Plan, the Agency shall provide an explanation of the reason for the difference.

(2) An explanation of how the project will assist in the elimination of blight, including, without limitation, reference to all supporting facts and materials relied on in reaching the conclusions presented in the explanation.

3. Before the Legislative Body may give its consent to an action proposed by the Agency pursuant to subsection 1, it must determine that:

(a) The buildings, facilities, structures or other improvements are of benefit to Redevelopment Area 2 or the immediate neighborhood in which Redevelopment Area 2 is located; and

(b) No other reasonable means of financing those buildings, facilities, structures or other improvements are available.

Those determinations by the Agency and the Legislative Body are final and conclusive.

4. In reaching its determination that the buildings, facilities, structures or other improvements are of benefit to Redevelopment Area 2 or the immediate neighborhood in which the redevelopment area is located, the legislative body shall consider:

(a) Whether the buildings, facilities, structures or other improvements are likely to:

(1) Encourage the creation of new business or other appropriate development;

(2) Create jobs or other business opportunities for nearby residents;

(3) Increase local revenues from desirable sources;

(4) Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located;

(5) Possess attributes that are unique, either as to type of use or level of quality and design;

(6) Require for their construction, installation or operation the use of qualified and trained labor; and

(7) Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency.

(b) The opinions of persons who reside in Redevelopment Area 2 or the immediate neighborhood in which Redevelopment Area 2 is located.

(c) Comparisons between the level of spending proposed by the agency and projections, made on a pro forma basis by the agency, of future revenues attributable to the buildings, facilities, structures or other improvements.

5. If the value of the land or the cost of the construction of that building, facility, structure or other improvement, or the installation of any improvement has been, or will be, paid or provided for initially by the community or other governmental entity, the Agency may enter into a contract with that community or governmental entity under which it agrees to reimburse the community or governmental entity for all or part of the value of that land or the cost of the building, facility, structure or other improvement, or both, by periodic payments over a period of years. The obligation of the Agency under that contract constitutes an indebtedness of the Agency which may be payable out of taxes levied and allocated to the Agency under paragraph (b) of subsection 1 of NRS 279.676, or out of any other available money.

e. Development Plans

All development plans (whether public or private) shall be processed in the manner provided by applicable City codes, as they are, or as they may be, amended from time to time. All development in Redevelopment Area 2 must conform, as appropriate, to City and Agency design review procedures (if any), including Design Guidelines adopted by the Agency (if any).

2. Personal Property Disposition

For the purposes of the Amended Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

H. Cooperation with Public Bodies

For the purpose of aiding and cooperating in the planning, undertaking, construction or operation of redevelopment projects located within the area in which it is authorized to act, any public body, upon the terms and with or without consideration as it determines, may:

1. Dedicate, sell, convey or lease any of its property to the Agency.
2. Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with a redevelopment plan.
3. Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake.
4. Plan or replan, zone or rezone any part of such area and make any legal exceptions from building regulations and ordinance.
5. Enter into agreements with the federal government respecting action to be taken by such public body pursuant to any of the powers granted by NRS 279.382 to 279.740, inclusive. Such agreements may extend over any period, notwithstanding any law to the contrary.
6. Purchase or legally invest in any of the bonds of the Agency and exercise all of the rights of any handler of such bonds.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in Redevelopment Area 2. Any public body which owns or leases property in

Redevelopment Area 2 will be afforded all the privileges of owner participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in Redevelopment Area 2 by a public body shall be subject to Agency approval.

LAND USES AND DEVELOPMENT REQUIREMENTS

IV. LAND USES AND DEVELOPMENT REQUIREMENTS

A. Redevelopment Area 2 Map and Major Redevelopment Area 2 Land Uses

The Redevelopment Area 2 Map attached hereto as Exhibit "A" illustrates the location of Redevelopment Area 2 boundaries, identifies the major streets within Redevelopment Area 2, and designates the major land uses authorized within Redevelopment Area 2 by the City's current Master Plan. The City will from time to time update and revise its Master Plan. It is the intention of this Redevelopment Plan that the City's Master Plan, as it currently exists, or as it may from time to time be amended, and as implemented and applied by City ordinances, resolutions and other laws be used as a guide to long range planning. The major land uses authorized within Redevelopment Area 2 by the Master Plan are described below:

B. Major Land Uses

Major land uses permitted within Redevelopment Area 2 include:

Residential, Industrial, Commercial, Mixed-Use, Public/Semipublic, Park/Open Space

The preceding uses may be used for any of the various kinds of uses specified for or permitted within such areas by the Master Plan, as it currently exists or as it may be amended from time to time.

C. Other Land Uses

1. Public Rights-of-Way

Major public streets within Redevelopment Area 2 are detailed on the Redevelopment Area 2 Map as Exhibit "A" and are listed as follows:

- (1) West Sahara Avenue
- (2) West Charleston Boulevard
- (3) South Decatur Boulevard

Additional public streets, alleys and easements may be created in Redevelopment Area 2 as needed for proper use and/or development. Existing streets and alleys may be abandoned, closed or modified as necessary for proper use and/or development.

Any changes in the existing street layout shall be in accord with the City's Master Plan.

2. Conforming Properties

Without the consent of the owner, the Agency shall not acquire any real property on which an existing building is to be continued on its present site and in its present form

and use unless an existing building requires structural alteration, improvement, modernization or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use, or it is necessary to impose upon such property any of the standards, restrictions and controls of the Amended Plan. The Agency may acquire such property if the owner refuses to enter into a participation agreement or Disposition and Development Agreement or fails to redevelop the property or otherwise carry out the provisions of such agreement.

D. Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in Redevelopment Area 2 for interim uses not in conformity with the uses permitted in the Amended Plan. Such interim use shall conform to all applicable City codes.

E. Nonconforming Uses

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to the provisions of the Amended Plan, provided that such use is generally compatible with existing and proposed developments and uses in Redevelopment Area 2, and abatement of such uses is not required by applicable City codes.

The Agency may authorize additions, alterations, repairs or other improvements in Redevelopment Area 2 for uses which do not conform to the provisions of the Amended Plan where such improvements are within a portion of Redevelopment Area 2 where, in the determination of the Agency, such improvements would be compatible with surrounding Redevelopment Area 2 uses and development and are permitted under applicable City codes.

F. General Controls and Limitation

All real property in Redevelopment Area 2 is hereby made subject to the controls and requirements of the Amended Plan. No real property shall be developed, rehabilitated, or otherwise changed after the latest effective date of the ordinances adopting the Amended Plan, except in conformance with the provisions of the Amended Plan.

1. Construction

All applicants for building permits in Redevelopment Area 2 must be advised by the building department that the site for which a building permit is sought for the construction of buildings or for other improvements is within Redevelopment Area 2.

2. Limitation on the Number of Buildings

The number of buildings in Redevelopment Area 2 shall not exceed the number of buildings permitted under the Master Plan.

3. Number of Dwelling Units

The number of dwelling units in Redevelopment Area 2 shall not exceed the maximum number allowed under the densities permitted under the City's Master Plan, as implemented and applied by local codes and ordinances.

4. Limitations on Type, Size and Height of Buildings

The type, size, and height of buildings shall be as limited by the City's Master Plan and applicable federal, state and local statutes and ordinances.

5. Open Spaces, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in Redevelopment Area 2 is the total of all area which will be in the public rights-of-way, the public grounds, spaces around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in Redevelopment Area 2 to ensure optimum use of living plant material.

In all areas, sufficient space shall be maintained between buildings to provide adequate light, air and privacy.

6. Signs

All signs shall conform to City requirements as appropriate. Design of all new signs shall be submitted to the City for review and approval prior to installation.

7. Utilities

The Agency shall require that all utility placements be governed according to the prevailing Las Vegas Municipal Code.

8. Incompatible Uses

No use or structure which, in the Agency's opinion would, by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, be incompatible with the surrounding areas or structures shall be permitted in any part of Redevelopment Area 2.

9. Public Uses

The intent of this Redevelopment Plan is to maintain the amount of property currently being used for public purposes. However, in any area the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi- public, institutional or non-profit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way, and facilities of other similar associations or organizations. All such uses shall

conform so far as possible to the provisions of the Amended Plan applicable to the uses in the specific area involved and is permitted under the Master Plan. The Agency may impose such other reasonable restrictions as are necessary to protect the development and uses in Redevelopment Area 2.

10. Other Covenants, Conditions and Restrictions

The Agency is authorized to permit minor variations from the limits, restrictions and controls established by the Amended Plan. In order to permit any such variation, the Agency must determine that:

- a. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and control;
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area;
- d. Permitting a variation will not be contrary to the objectives of the Plan; and
- e. The Agency will ensure that any deviation will not impair the purpose of the Amended Plan, the Zoning district or any applicable zoning regulations.

G. Design Guidelines

Within the limits, restrictions, and controls established in the Amended Plan, the Agency is authorized to establish heights of buildings, land coverage, set back requirements, design and sign criteria, traffic circulation, traffic access, parking, and other development and design controls necessary for proper development and use of both private and public areas within Redevelopment Area 2. These may be established by the approval of specific developments, by the adoption of general restrictions and controls, by resolution of the Agency, or by the adoption of one or more Design Guidelines pursuant to this Section.

H. Building Permits

The City may request that the Agency comment on an application for a building permit in order to determine whether the application conforms to the requirements of the Amended Plan. Agency review will be advisory only and will not control the City's approval or disapproval of an applicant.

I. Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based on race, color, sex, age, creed, religion, national origin or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in Redevelopment Area 2.

**METHOD OF
FINANCING THE AREA**

V. METHOD OF FINANCING THE AREA

A. General Description of the Proposed Financing Method

The Agency is authorized to finance activities in Redevelopment Area 2 with tax increment funds; interest income; Agency bonds, donations; loans from private financial institutions; the lease or sale of Agency owned property; owner participant or developer loans; participation in development; or with financial assistance from Clark County, the City, State of Nevada, the federal government, or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds, issue bonds, and create indebtedness in carrying out the Amended Plan. The principal and interest on such indebtedness may be paid from tax increments or any other funds available to the Agency.

Advances and loans for surveys and planning, and for the operating capital for administration of Redevelopment Area 2, may be provided by the City or any other available source, public or private, until adequate tax increment or other funds are available or sufficiently assured to repay the advances and loans and to permit borrowing adequate working capital from other sources. The City, as it is able, may also supply additional assistance through issuance of bonds, loans and grants and in-kind assistance.

Tax increment financing, as authorized by the Amended Plan, is intended as the primary source of financing (in combination with other sources of financing that may be available) for specific activities in Redevelopment Area 2.

The Agency is authorized to finance the Amended Plan by all means permitted by law. The analysis and description of the proposed method of financing the Redevelopment Plan is contained in the Agency's Report to the City Council. The analysis provides sufficient detail to determine the economic feasibility of the Amended Plan.

B. Tax Increment Funds

All taxes levied upon taxable property within Redevelopment Area 2 each year, by or for the benefit of the State of Nevada, Clark County, the City of Las Vegas, any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the original version of this Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in Redevelopment Area 2 as shown upon the assessment roll used in connection with the taxation of the property by the taxing agency, last equalized before the effective date of the ordinance, must be allocated to

and when collected must be paid into the funds of the respective taxing agencies as taxes by or for such taxing agencies on all other property are paid. To allocate taxes levied by or for any taxing agency or agencies which did not include the territory in Redevelopment Area 2 on the effective date of the ordinance but to which the territory has been annexed or otherwise included after the effective date, the assessment roll of the County last equalized on the effective date of the ordinance must be used in determining the assessed valuation of the taxable property in Redevelopment Area 2 on the effective date. If property which was shown on the assessment roll used to determine the amount of taxes allocated to the taxing agencies is transferred to the state and becomes exempt from taxation, the assessed valuation of the exempt property as shown on that assessment roll must be subtracted from the assessed valuation used to determine the amount of revenue allocated to the taxing agencies.

2. Except as otherwise provided in paragraphs 3 and 4, that portion of the levied taxes each year in excess of the amount set forth in paragraph 2 must be allocated to and when collected must be paid into a special fund of the Redevelopment Agency to pay the costs of redevelopment and to pay the principal of and interest on loans, money advanced to, or indebtedness, whether funded, refunded, assumed, or otherwise, incurred by the Redevelopment Agency to finance or refinance, in whole or in part, redevelopment. Unless the total assessed valuation of the taxable property in Redevelopment Area 2 exceeds the total assessed valuation of the taxable property in Redevelopment Area 2 shown on the last equalized assessment roll referred to in paragraph 1, all of the taxes levied and collected upon the taxable property in Redevelopment Area 2 must be paid into the funds of the respective taxing agencies. When the Redevelopment Plan is terminated and all loans, advances and indebtedness, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in Redevelopment Area 2 must be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of the taxes in excess of the amount set forth in paragraph (1) that is attributable to a tax rate levied by a taxing agency to produce revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness that was approved by the voters of the taxing agency on or after November 5, 1996, must be allocated to, and when collected must be paid into the appropriate fund of the taxing agency.

4. That portion of the taxes in excess of the amount set forth in paragraph (1) that is attributable to a new or increased tax rate levied by a taxing agency and was approved by the voters of the taxing agency on or after November 5, 1996 must be allocated to, and when collected must be paid into the appropriate fund of the taxing agency.

Except as otherwise provided, in any fiscal year, the total revenue paid to the Redevelopment Agency must not exceed an amount equal to the combined tax rates of the taxing agencies for that fiscal year multiplied by 10 percent (10%) of the total assessed valuation of the City.

For the purposes of this section, the assessment roll last equalized before the effective date of the ordinance approving the Redevelopment Plan is the assessment roll in existence on March 15th immediately preceding the effective date of the ordinance.

This section shall be construed to fully implement the provisions of the Community Redevelopment Law Section 279.676.

C. Agency Bonds

The Agency is authorized to issue bonds from time to time, if it deems it appropriate to do so, in order to finance all or any part of activities in Redevelopment Area 2.

Neither the members of the Agency, Agency staff, nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City, the state or any of its political subdivisions and neither the City, the state nor any of its political subdivisions is liable on them, nor in any event shall the bonds or obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

D. Time Limit on Issuing Securities or Establishment of Indebtedness

Securities must not be issued and no indebtedness may be incurred in any other manner, by or on behalf of the Agency to finance, in whole or in part, the Redevelopment Plan beyond 30 years after the date on which the Redevelopment Plan is adopted, except that the Agency may incur enter into leases or indebtedness at any time before the termination of the Redevelopment Plan if the leases are terminated or if the indebtedness is fully repaid no later than the termination of the Redevelopment Plan. The maturity date of any securities which are refunded must not extend beyond the date of termination of the Redevelopment Plan.

Any securities issued by or on behalf of the Agency to finance, in whole or in part, redevelopment pursuant to NRS 279.620 to 279.626, inclusive, and 279.634 to 279.672, inclusive, must mature and be fully paid, including any interest thereon, before the termination of the Redevelopment Plan.

E. Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of Nevada, or any other public or private source will be utilized if available as appropriate in carrying out activities in Redevelopment Area 2. In addition, the Agency may make loans to small businesses from a revolving loan account as permitted by and in compliance with NRS 279.700 through 279.740.

VI ACTIONS BY THE CITY

The City may aid and cooperate with the Agency in carrying out the Amended Plan and may take all actions necessary to ensure the continued fulfillment of the purposes of the Amended Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City may include, but are not limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, in Redevelopment Area 2. Such action by the City shall include the requirement of abandonment, removal, and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out the Amended Plan, provided that nothing in the Amended Plan shall be construed to require the cost of such abandonment, removal, and relocation be borne by others than those legally required to bear such costs;
2. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned utilities within or affecting Redevelopment Area 2;
3. Revision or adoption of the City zoning ordinance(s), specific plan(s), or the Master Plan as appropriate within Redevelopment Area 2 to permit the land uses and development authorized by or necessary or desired to carry out the Amended Plan;
4. Imposition wherever necessary (by covenants or restrictions, conditional use permits or other means) of appropriate controls within the limits of the Amended Plan upon parcels in Redevelopment Area 2 to ensure their proper development and use;
5. Execution of statutory development agreements where necessary and appropriate to facilitate developments approved by the Agency;
6. Provisions for administrative enforcement of the Amended Plan by the City, as appropriate, after development;
7. Performance of the above actions, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of Redevelopment Area 2 to be commenced and carried to completion without unnecessary delays;
8. Provisions of services and facilities by the various officials, offices and departments of the City for the Agency's purposes under the Amended Plan;

9. Provision of financial assistance in accordance with the Amended Plan or as authorized by law; and/or

10. The undertaking and completing of any other proceedings necessary to carry out activities in Redevelopment Area 2.

The foregoing actions to be taken by the City may involve financial outlays by the City, but do not constitute a commitment to make such outlays.

VII. ENFORCEMENT

The administration and enforcement of the Amended Plan, including the preparation and execution of any documents implementing the Amended Plan, shall be performed by the Agency and/or the City.

Without limitation on the powers conferred on the City or Agency by statute or law, the provisions of the Amended Plan or other documents entered into pursuant to the Amended Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other remedies appropriate to the purposes of the Amended Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in Redevelopment Area 2 may be enforced by such owners.

VIII. DURATION OF THIS REDEVELOPMENT PLAN

The provision of the Amended Plan and any amendments hereto shall be effective, and the provisions of other documents formulated pursuant to the Amended Plan may be made effective, for thirty (30) years after the date on which the original Plan was initially adopted, or date to be inserted in the Final Plan. The Amended Plan and any amendments hereto will terminate thirty (30) years after the date on which the original Plan was adopted.

IX. PROCEDURE FOR AMENDMENT

The Amended Plan may be amended by means of the procedure established in the Community Redevelopment Law, or by any other procedure established by law.

X. IMPLEMENTATION AGREEMENTS

The Agency and City may enter into any agreement(s) between them which they deem necessary to implement the provisions of the Amended Plan. Such agreements shall relate only to the implementation of the Amended Plan and shall not revise, change or modify any of the provisions, requirements or limitations of the Amended Plan.

XI. SEVERABILITY

If any provision, section, subsection, subdivision, sentence, clause or phrase of the Amended Plan is for any reason held to be invalid, unenforceable, or unconstitutional, such decision shall not affect the validity and effectiveness of the remaining portion or portions of the Plan. In the event that any portion of Redevelopment Area 2 shall be determined to have been invalidly or incorrectly included in Redevelopment Area 2 that is the subject of the Amended Plan, such portion of Redevelopment Area 2 shall be deemed severable from the remainder of Redevelopment Area 2 and the remainder of Redevelopment Area 2 shall remain fully subject to the provisions of the Amended Plan.

EXHIBIT A

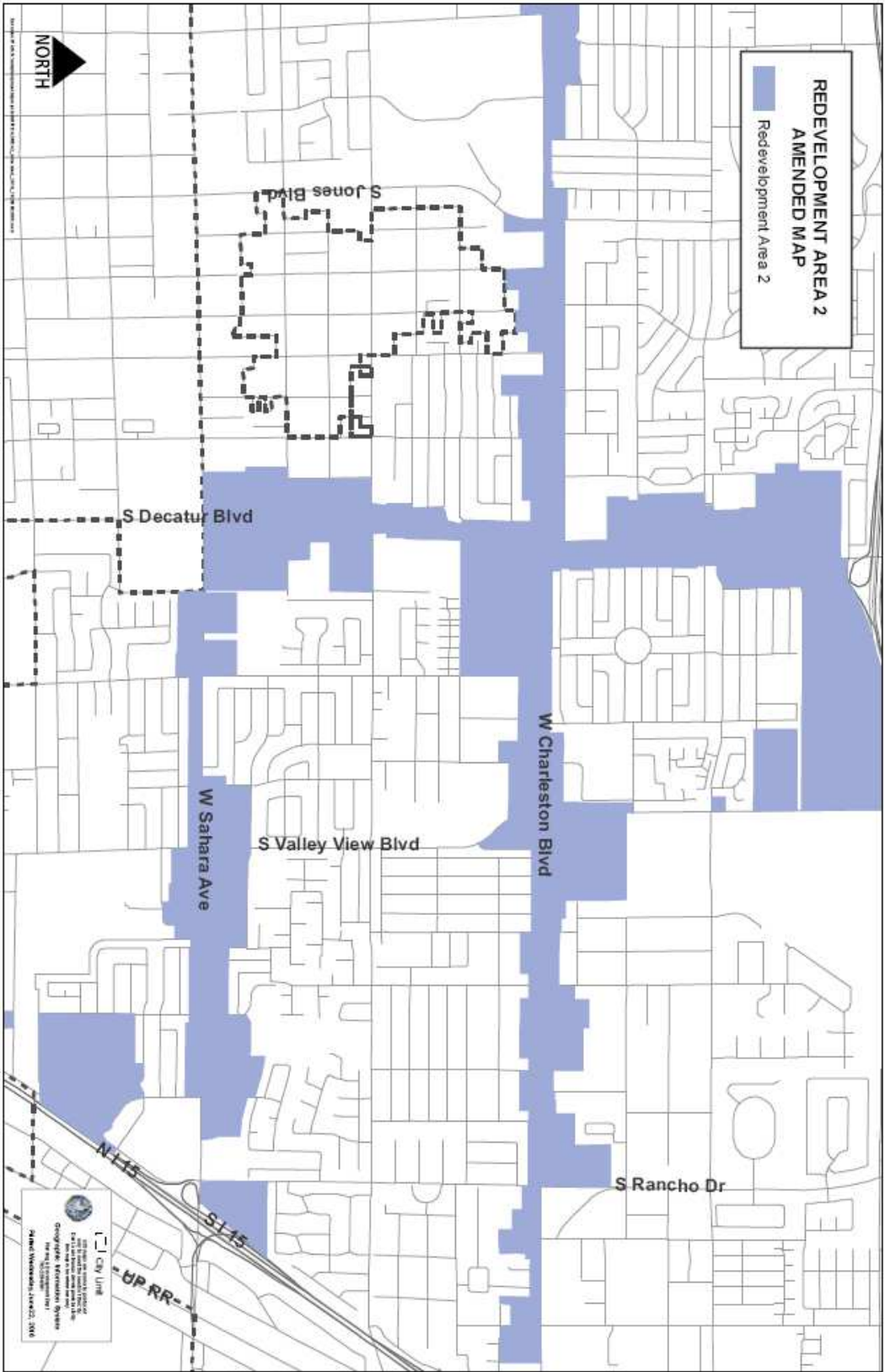
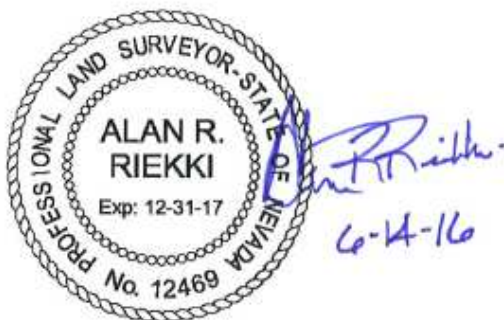


EXHIBIT B



M11001-08
JUNE 13, 2016
BY: MFK
P.R. BY: ARR
PAGE 1 OF 5

EXPLANATION:

THIS DESCRIPTION DESCRIBES VARIOUS PARCELS LOCATED WITHIN THE CITY OF LAS VEGAS FOR THE PURPOSE OF DEFINING REDEVELOPMENT AREA 2.

REDEVELOPMENT AREA 2

BEING THOSE PARCELS OF LAND GENERALLY LOCATED ALONG CHARLESTON BOULEVARD BETWEEN RAINBOW BOULEVARD AND MARTIN L KING BOULEVARD, SAHARA AVENUE BETWEEN DECATUR BOULEVARD AND INTERSTATE 15, AND DECATUR BOULEVARD BETWEEN SAHARA AVENUE AND US HIGHWAY 95; FURTHER DESCRIBED BY THE FOLLOWING ASSESSOR'S PARCEL NUMBERS AS THEY APPEARED ON THE CLARK COUNTY ASSESSOR'S ROLL ON MAY 23, 2016:

138-34-819-014, 138-34-820-001, 138-34-820-006, 138-34-820-008, 138-34-820-009,
138-34-820-013, 138-34-820-014, 138-35-401-003, 138-35-402-002, 138-35-402-006,
138-35-402-007, 138-35-402-008, 138-35-402-011, 138-35-402-012, 138-35-403-001,
138-35-403-004, 138-35-803-002, 138-35-803-003, 138-35-803-004, 138-35-803-005,
138-35-804-001, 138-35-805-001, 138-35-806-001, 138-35-806-002, 138-35-806-003,
138-35-806-004, 138-35-806-005, 138-35-811-020, 138-35-811-021, 138-35-811-060,
138-35-811-061, 138-35-816-001, 138-35-816-002, 138-35-816-003, 138-36-406-004,
138-36-406-005, 138-36-406-006, 138-36-406-007, 138-36-406-008, 138-36-406-009,
138-36-406-010, 138-36-406-011, 138-36-408-001, 138-36-408-002, 138-36-408-003,
138-36-408-004, 138-36-408-005, 138-36-408-006, 138-36-408-008, 138-36-408-009,
138-36-408-010, 138-36-502-001, 138-36-516-002, 138-36-516-003, 138-36-516-005,
138-36-516-006, 138-36-601-003, 138-36-601-004, 138-36-601-009, 138-36-701-003,
138-36-701-004, 138-36-701-005, 138-36-701-011, 138-36-701-015, 138-36-701-018,
138-36-701-021, 138-36-701-022, 138-36-702-001, 138-36-712-023, 138-36-802-002,
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139-30-812-002, 139-30-812-003, 139-30-812-005, 139-30-812-006, 139-31-110-001,
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139-32-412-034, 139-32-412-035, 139-32-412-036, 139-32-412-037, 139-32-412-038,
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163-02-114-003, 163-02-114-010, 163-02-114-012.

ALL LYING WITHIN SECTIONS 34, 35 AND 36, TOWNSHIP 20 SOUTH, RANGE 60 EAST, SECTIONS 30, 31 AND 32, TOWNSHIP 20 SOUTH, RANGE 61 EAST, SECTIONS 1 AND 2, TOWNSHIP 21 SOUTH, RANGE 60 EAST, SECTIONS 4, 5, 6, 7 AND 8, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

A MAP TITLED "**REDEVELOPMENT AREA 2 AMENDED PARCEL 162-08-602-005**", DATED MAY 23, 2016, DEPICTING THE ABOVE DESCRIBED PROPERTIES IS ON FILE IN THE OFFICE OF ECONOMIC AND URBAN DEVELOPMENT, CITY OF LAS VEGAS, NEVADA.

THIS DESCRIPTION IS PROVIDED AS A CONVENIENCE AND IS NOT INTENDED TO REPRESENT A COMPLETE LEGAL DESCRIPTION OF THE PROPERTIES LISTED HEREIN SUITABLE FOR THE PURPOSE OF CONVEYING REAL PROPERTY PER NEVADA REVISED STATUTES.

END OF DESCRIPTION.

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016**

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

Bill No. 2016-56 - For Possible Action - Annexation No. ANX-60805 - Property location: at the northwest corner of West Red Coach Avenue and Al Carrison Street; Petitioned by: PN II, Inc, predecessor-in-interest to current owners; Acreage: 5.16 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony

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

The proposed ordinance annexes certain real property located generally at the northwest corner of West Red Coach Avenue and Al Carrison Street. The annexation is at the request of the current or previous property owner(s). The annexation process has now been completed in accordance with the NRS and the final date of annexation (November 9, 2016) is set by this ordinance.

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. 2016-56 and location map

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BILL NO. 2016-56

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-60805)

Sponsored by: Councilman Stavros S. Anthony	Summary: Annexes property described as generally located at the northwest corner of West Red Coach Avenue and Al Carrison Street.
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Northwest (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 4, Township 20 South, Range 60 East, M.D.M., of Clark County Nevada, being Lot 1 through Lot 5 and Lot 16 through Lot 20 of ROSEWOOD subdivision as shown on Book 146 of Plats, Page 70 of Clark County, Nevada records, together with the adjoining 30.00 foot half street right of way of Al Carrison Street and together with the adjoining 30.00 foot half street right of way of Red Coach Avenue described as follows:

COMMENCING at the southwest corner of the Northwest Quarter (NW 1/4) of the

1 Northwest Quarter (NW 1/4) of said Section 4, said corner also being the centerline
2 intersection of Red Coach Avenue (half street 30.00 feet wide) and Durango Drive
3 (half street 50.00 feet wide); thence along the south line of said Northwest Quarter
4 (NW 1/4) of Northwest Quarter (NW 1/4) and the centerline of said Red Coach
5 Avenue, South 88°15'42" East 1034.73 feet to the Point of Beginning; thence
6 departing said south line and said centerline North 00°04'17" West 30.01 feet to the
7 north line of said Red Coach Avenue at the southwest corner of Lot 20 of said
8 ROSEWOOD subdivision; thence along the west line of said ROSEWOOD
9 subdivision, North 00°04'17" West 620.31 feet to the northwest corner of Lot 16 of
10 said ROSEWOOD subdivision; thence; along said north line of said Lot 16,
11 South 88°15'42" East 158.08 feet to the west line of Lot 5 of said ROSEWOOD
12 subdivision; thence along the west line of said Lot 5, North 00°04'17" West 3.45
13 feet to the northwest corner of said Lot 5; thence along the north line of said Lot 5,
14 South 88°15'42" East 157.74 feet to the northeast corner of said Lot 5 at the west
15 right of way line of said Al Carrison Street; thence continuing
16 South 88°15'42" East 30.03 feet to the centerline of said Al Carrison Street; thence
17 along the centerline of said Al Carrison Street, South 00°00'32" West 653.74 feet to
18 the centerline intersection with the centerline of said Red Coach Avenue at the
19 south line of said Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4);
20 thence along the centerline of said Red coach Avenue and said south line,
21 North 88°15'42" West 344.93 feet to the Point of Beginning.

22 BASIS OF BEARINGS: North 00°18'45" West, being the west line of the
23 Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 4,
24 Township 20 South, Range 60 East M.D.M., as shown on Book 146 of Plats, Page
25 70 of Clark County Nevada Records.

Prepared by:
Brian Yu, PLS
City of Las Vegas
Dept. of Operations and Maintenance
Right-of-Way
333 N. Rancho Drive, 8th Floor
Las Vegas, NV 89106
byu@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory
meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time
the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the
area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries

1 of another incorporated city or within the boundaries of any unincorporated town as those
2 boundaries existed as of July 1, 1983;

3 D. The City is eligible to annex the described territory because the present or
4 previous landowners have signed a petition constituting one hundred percent (100%) of the owners
5 of record of individual lots or parcels of land within the annexation area.

6 SECTION 3: The City will provide police protection through the Las Vegas
7 Metropolitan Police Department, fire protection, street maintenance, and library services
8 immediately upon annexation. Garbage collection by the company franchised by the City will also
9 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
10 Any connection to or extension of this sewer line to serve the annexation area shall be at the
11 expense of the landowners. Other services, such as participation in the City's recreational
12 programs, special education classes and programs, public works planning, building inspections, and
13 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
14 and water are provided by private utility companies and other services to the area will not be
15 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
16 in place at the time of annexation will be installed in the presently developed areas upon the request
17 of the property owners and at their expense by means of special assessment districts. Such
18 improvements will be extended into the undeveloped areas as development takes place and the
19 need therefor arises, and will be located according to the needs of the area at that time. Such
20 installations will also be made at the expense of the property owners, either by means of special
21 assessment districts or as prerequisites to the approval of subdivision plats, building permits or
22 other land use or development applications.

23 SECTION 4: The annexation of the described territory shall become effective
24 on the 9th day of November, 2016, and on that date the City will have the funds appropriated in
25 sufficient amount to finance the extension into the described territory of police protection, fire

1 protection, street maintenance, street sweeping, and street lighting maintenance.

2 SECTION 5: The described territory, together with the inhabitants and property
3 thereof, shall, from and after the 9th day of November, 2016, be subject to all debts, laws,
4 ordinances and regulations in force in the City and shall be entitled to the same privileges and
5 benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

6 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
7 accurate map or plat of the described territory and to record the map or plat, together with a
8 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
9 which recording shall be done prior to the 9th day of November, 2016.

10 SECTION 7: The described territory, which previously has been zoned R-E
11 (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification),
12 which is deemed to be the City equivalent of the County classification.

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

21 ...

22 ...

23 ...

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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 _____,
2016.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 8-3-16
Val Steed, Date
Deputy City Attorney

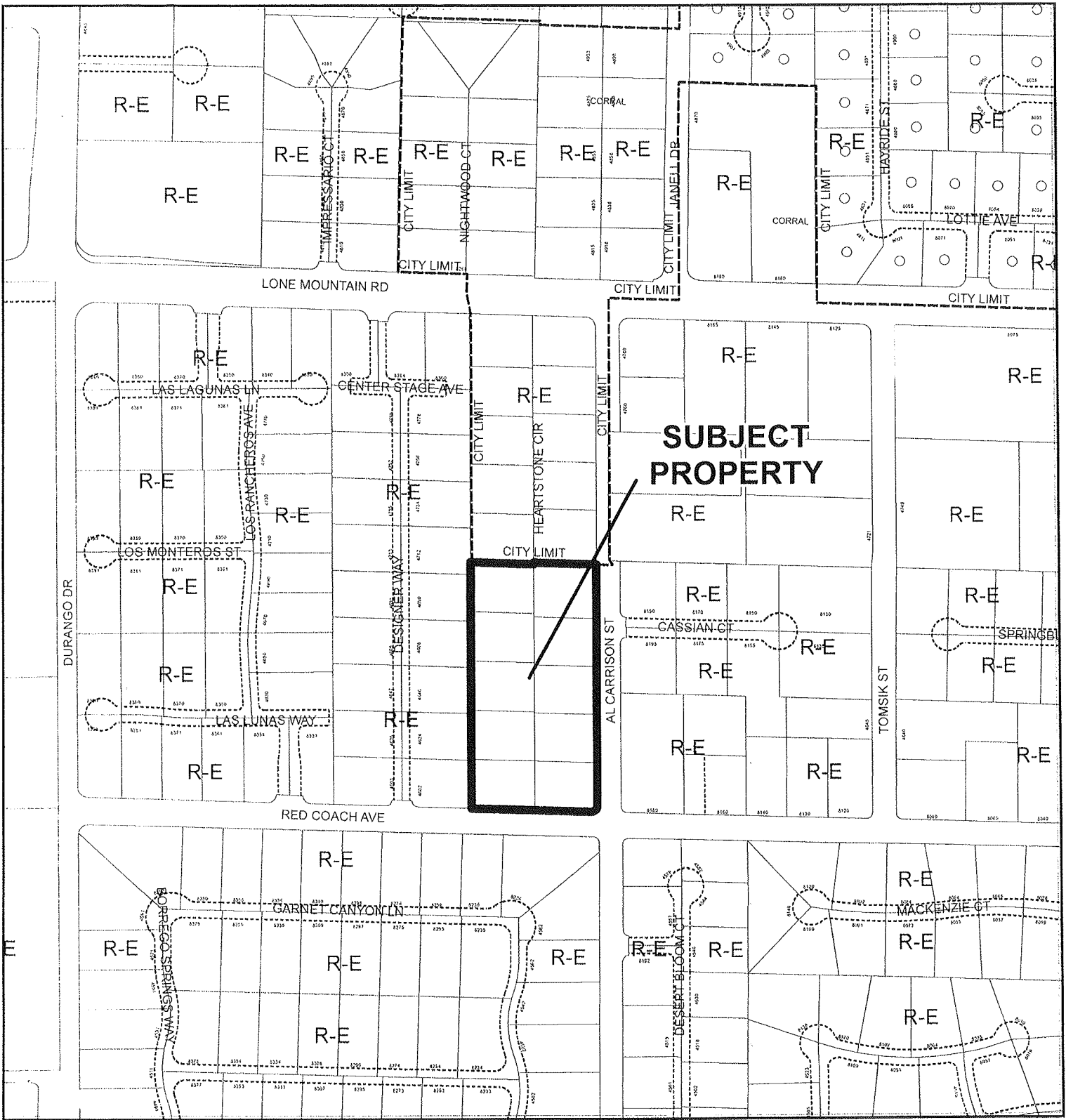
1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2016, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____;
5 thereafter the said committee reported favorably on said ordinance on the _____ day of
6 _____, 2016, which was a _____ meeting of said Council;
7 that at said _____ meeting, the proposed ordinance was read by title to the
8 City Council as first introduced and adopted by the following vote:
9 VOTING "AYE": _____
10 VOTING "NAY": _____
11 ABSENT: _____
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APPROVED:

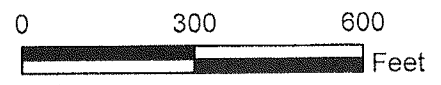
By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk



CASE: ANX-60805



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

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 FORWARD 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



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: SEPTEMBER 6, 2016

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

☐ Consent ☒ Discussion

SUBJECT:

ADJOURNMENT

