

**FIRST AMENDMENT**

Summary – an ordinance authorizing installment-purchase agreements.

**BILL 2011-20**  
**ORDINANCE 6148**

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

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

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

**WHEREAS**, the Council proposes to enter into an installment-purchase agreement (the “NCREB Agreement” and together with the QECB Agreement, the “Agreements”) in the

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

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

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

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

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

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

**INSTALLMENT-PURCHASE AGREEMENT PROPOSAL:**  
**Shall the City Council of the City of Las Vegas in the State of Nevada, be authorized to incur an indebtedness on behalf of the City by the issuance at one time, or from time to time, of one or more installment-purchase agreements in the maximum aggregate principal amount of \$10,848,700 for the purpose of financing, wholly or in part, the cost to acquire, improve and equip building projects as defined in NRS 268.676, street projects as defined in NRS 268.722, qualified conservation purposes pursuant to Section 54D(f) of the Internal Revenue Code of 1986, as amended (the "Code") and qualified renewable energy facilities pursuant to Section 54C of the Code, each one or more**

**installment-purchase agreements to mature not less than 10 years and not greater than 20 years from the date each such agreement is entered into, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time the installment-purchase agreements are entered into, the installment-purchase agreements by their terms to be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due, to be payable from legally available funds of the City, to be secured by a security interest in property of the City as provided in NRS 350.800, and to be entered into upon such terms and conditions, and with such other detail as the Council may determine?**

(the "Proposal"); and

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

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

[Attach Approval of Department of Taxation]

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, the Council has determined and hereby declares:

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

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

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

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

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

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

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

The principal of the NCREB Agreement shall bear interest from the date of delivery at the annual interest rate(s) set forth in the NCREB Agreement to be repaid over a period of not more than 20 years, which term shall not exceed the useful life of the NCREB Project and shall

mature in installments on the dates and in the amounts and bearing interest at the rates set forth in the certificate of the CFO. Pursuant to NRS 350.800 and the NCREB Agreement, the City shall grant a security interest in the NCREB Project to the NCREB Purchaser. The NCREB Agreement must include a provision which provides that the NCREB Agreement, by its terms, shall be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due, subject to the Purchaser's right to pursue its security interest in the NCREB Project which security interest (or right thereto) shall not be extinguished by failure of the Council to appropriate money for the ensuing fiscal year for payment of the amounts then due.

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

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

Section 5. The City hereby designates the QECB Agreement as a "qualified energy conservation bond" under Section 54D of the Tax Code, makes an irrevocable election that subsection (f) of Section 6431 of the Tax Code shall apply to the QECB Agreement so that the City will directly receive the payment provided in Section 6431 of the Tax Code in lieu of any credit otherwise available to the QECB Purchaser of the QECB Agreement under Section 54A of the Tax Code (the payment described in Section 6431 is herein the "QECB Credit") and that the direct payment subsidy option applies to the QECB Agreement pursuant to Section 30 of the Hiring Incentives to Restore Employment Act, Pub. L. No. 111-147, 124 Stat 71 (2010). None of the owners of the QECB Agreement shall be entitled to any credit under Section 54A of the Tax Code. The City covenants that it will not take any action or omit to take any action with respect to the QECB Agreement, the proceeds thereof, any other funds of the City or any project financed with the

proceeds of the QECB Agreement if such action or omission would cause the QECB Agreement to not be, or to cease being, “qualified energy conservation bonds” under Section 54D of the Tax Code, entitled to the QECB Credit. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the QECB Agreement until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met. The City shall timely file any document required by the Internal Revenue Service to be filed in order to claim the QECB Credit. Any QECB Credit received by the City under Section 6431 of the Tax Code with respect to the QECB Agreement shall be used to pay the interest portion of the Base Payments (as defined in the QECB Agreement) due under the QECB Agreement or to reimburse the City for amounts it has used to pay that interest.

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

Payments (as defined in the NCREB Agreement) due under the NCREB Agreement or to reimburse the City for amounts it has used to pay that interest.

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

(Form for Publication of Proposed Ordinance)

**BILL \_\_\_\_\_**  
**ORDINANCE \_\_\_\_\_**

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

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

/s/ Beverly K. Bridges, MMC  
City Clerk

(End of Publication of Proposed Ordinance)

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

(Form for Publication After Adoption of Ordinance)

**BILL \_\_\_\_\_**  
**ORDINANCE \_\_\_\_\_**

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

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

Those Voting Aye:

Those Voting Nay:

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

**DATED** this April 20, 2011.

Attest:

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

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

(End of Form of Publication of Adoption of Ordinance)

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

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

- (1) The execution of the Agreements,
- (2) The tenure and identity of the officials of the Council and of the City, and
- (3) If it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof.

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

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

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

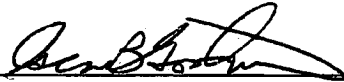
Section 12. If any section, paragraph, clause or other provision of this Ordinance

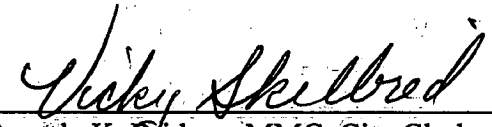
shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Adopted April 20, 2011.


(SEAL)

Attest:

  
\_\_\_\_\_  
Oscar B. Goodman, Mayor

  
\_\_\_\_\_  
~~Beverly K. Bridges, MMC, City Clerk~~  
By: Vicky Skilbred, CMC  
Acting City Clerk

APPROVED AS TO FORM:

 4-20-11  
\_\_\_\_\_  
Deputy City Attorney

This Ordinance shall be in full force and effect from and after April 23, 2011, i.e., the day after the publication of such Ordinance by its title only.

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

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

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

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

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

Those Voting Aye:	Mayor Oscar B. Goodman
Councilmembers:	Gary Reese
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow
	Stavros S. Anthony

Those Voting Nay:                   None

Those Absent:                       Councilmember Wolfson

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

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

- (i) Court Clerk's Office Bulletin Board  
City Hall Plaza  
Las Vegas, Nevada;
- (ii) City Hall Plaza  
Special Outside Posting Bulletin Board  
Las Vegas, Nevada;
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada;
- (iv) Clark County Government Center  
500 S. Grand Central Parkway  
Las Vegas, Nevada; and
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada.


and

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand on this April 20,  
2011.

  
\_\_\_\_\_  
City Clerk  
By: Vicky Skelbred, CMC  
Acting City Clerk

**EXHIBIT A**

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



## CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)

COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**April 6, 2011**

**Morning Session begins at 9:00 a.m.**

**Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

### **CEREMONIAL MATTERS**

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR ANNE JONES, LIFE CHRISTIAN CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE CITIZENS PLANNING ACADEMY
7. RECOGNITION OF THE LAS VEGAS CHAMBER OF COMMERCE LEADERSHIP LAS VEGAS PROGRAM
8. RECOGNITION OF THE GRANT A GIFT AUTISM FOUNDATION
9. RECOGNITION OF NATIONAL DONATE A LIFE MONTH
10. RECOGNITION OF THE SOUTHERN NEVADA GRAFFITI COALITION'S ANTI-GRAFFITI YOUTH ART CONTEST WINNERS
11. RECOGNITION OF NATIONAL TARTAN DAY

## **BUSINESS ITEMS - MORNING**

12. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
13. Approval of the Final Minutes by reference of the regular City Council meeting of March 2, 2011

## **CONSENT AGENDA**

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

### **BUILDING AND SAFETY - CONSENT**

14. Approval of an encroachment request from Wright Engineers on behalf of 521 South Third, LLC, owner (521 South Third Street between Clark Avenue and Bonneville Avenue) - Ward 3 (Reese)
15. Approval of an encroachment request from Hauntec Civil Engineering Services on behalf of Necal Associates, LLC, owner (1025 South 1st Street, 1st Street and Boulder Avenue) - Ward 3 (Reese)

### **ECONOMIC AND URBAN DEVELOPMENT - CONSENT**

16. Approval to grant a request for a waiver of the \$25,000 Performance Bond requirement to Las Vegas, Nevada, B.P.O. Elks Number 1468 regarding the Helldorado Days PRCA Rodeo on property owned by the City of Las Vegas, bound by Stewart Avenue on the south, the alley between 7th and 8th Streets on the east, Las Vegas Boulevard on the west, and US 95 on-ramp on the north - Ward 5 (Barlow)
17. Approval to receive an allocation of the FY 2011-2012 Low-Income Housing Trust Fund in the amount of \$236,682 through an agreement with the State of Nevada Department of Business and Industry Housing Division for the future development of affordable housing – All Wards

### **FINANCE - CONSENT**

18. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
19. Approval to allocate \$450,000 of 1% Room Tax funding within the Public Works Capital Project Fund to fund the Downtown Core Signage Program Project - Ward 5 (Barlow)

### **FINANCE - PURCHASING & CONTRACTS CONSENT**

20. Approval of award of Agreement No. 110163-LD, Blanket Services Agreement for Subsurface Utility Engineering Services - Department of Public Works - Award recommended to: AZTEC TECHNICAL SERVICES, LLC (Not-to-Exceed \$100,000 - Various Funds)
21. Approval of award of Agreement No. 110161-TF, Prime Design Services Agreement for Downtown Pedestrian and Bicycle Improvements on First Street, Garces Avenue, Sixth Street, Third Street and Bridger Avenue - Department of Public Works - Award recommended to: VTN NEVADA (\$1,250,000 - Traffic Improvements Capital Projects Fund) - Ward 3 (Reese)
22. Approval of award of Contract No. 110159-PH, Tax Credit Legal Consultant for Services for the Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Office of Economic and Urban Development - Award recommended to: HOLLAND & KNIGHT, LLP (Not-to-Exceed \$130,000 - City Facilities Capital Projects Fund) - Ward 5 (Barlow)
23. Approval of award of Contract No. 110158-PH, Tax Credit Accounting Consultant for Services for the Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Office of Economic and Urban Development - Award recommended to: THE REZNICK GROUP (Not-to-Exceed \$90,000 - City Facilities Capital Projects Fund) - Ward 5 (Barlow)

24. Approval of award of Contract No. 100240-TF, Streetlight Evaluation and Testing - Department of Public Works - Award recommended to: CRESCENT ELECTRIC SUPPLY CO. (\$3,324,000 - General Capital Projects Fund) - All Wards
25. Approval of award of Contract No. 110066-CW, Insurance Broker and Consulting Services - Department of Human Resources - Award recommended to: AON RISK INSURANCE SERVICES WEST, INC. (\$100,000 - Liability Insurance and Property Damage Internal Service Fund and Employee Benefit Internal Service Fund)

#### **HUMAN RESOURCES - CONSENT**

26. Approval to create one regular full-time Maintenance Worker II position to maintain the Neighborhood Stabilization Program City-owned properties (\$58,120 Salary + Benefits – Neighborhood Stabilization Program Grant Funds)

#### **OPERATIONS AND MAINTENANCE - CONSENT**

27. Approval of a Declaration of Intent to Retain Easement for Pedestrian Access along the south side of McWilliams Drive and the west side of Encanto Drive for a portion of the Southeast Quarter (SE1/4) of Section 27, Township 20 South, Range 61 East, Mount Diablo Meridian, APN's 139-27-812-045 and 139-27-805-004 - Ward 5 (Barlow)

#### **PLANNING - BUSINESS SERVICES CONSENT**

28. Approval of a Special Event Alcoholic Beverage License for Downtown Vintage Guitars, LLC subject to the provisions of the planning and fire codes, Location: 1106 South 3rd Street, Dates: April 8, 9, 15, 16, 22, 23, and 29, 2011, Type: Special Event General, Event: Singer Songwriter Competition, Responsible Person in Charge: Mark Castillo - Ward 3 (Reese)
29. Approval of a Special Event Alcoholic Beverage License for Las Vegas Celtic Society subject to the provisions of the fire code, Location: 9200 Tule Springs Road, Dates: April 16 and 17, 2011, Type: Special Event General, Event: Las Vegas Highland Games, Responsible Person in Charge: Vicki Priest - Ward 6 (Ross)
30. Approval of a Special Event Alcoholic Beverage License for NV Wolc Corporation, Location: Luca's Cafe & Deli, 231 South 3rd Street, Suite 110, Date: April 16, 2011, Type: Special Event General, Event: Huelga de Dolores, Responsible Person in Charge: Alberto Wolcoff - Ward 3 (Reese)
31. Approval of a new Beer/Wine/Cooler Off-sale License, Fresh & Easy Neighborhood Market Inc., dba Fresh & Easy Neighborhood Market (Non-operational), 3489 East Owens Avenue, Timothy Mason, Dir, Pres, Mary Kasper, Secy, and Remco Waller, Dir, Treas - Ward 3 (Reese)
32. Approval of a new Beer/Wine/Cooler Off-sale License, Fresh & Easy Neighborhood Market Inc., dba Fresh & Easy Neighborhood Market (Non-operational), 4580 West Sahara Avenue, Timothy Mason, Dir, Pres, Mary Kasper, Secy, and Remco Waller, Dir, Treas - Ward 1 (Tarkanian)
33. Approval of a Change of Corporate Name and Change of Business Name for a Package License, From: King Ranch Markets Inc., dba King Ranch Market, To: Marketon, Inc., dba Marketon, Store #2, 755 North Nellis Boulevard, Constantino Miguel, Pres, 75%; William Miguel, Secy, Treas, 25%; and Alice Miguel, Trustee - Ward 3 (Reese)
34. Approval of a Change of Corporate Name and Change of Business Name for a Package License, From: King Ranch Markets Inc., dba King Ranch Market, To: Marketon, Inc., dba Marketon, Store #1, 840 North Decatur Boulevard, Constantino Miguel, Pres, 75%; William Miguel, Secy, Treas, 25%; and Alice Miguel, Trustee - Ward 5 (Barlow)
35. Approval of a Change of Ownership and Change of Business Name for a Package License, From: American Drug Store Inc., dba Sav On Drugs 9089 (Non-operational), To: Nora's Wine Bar & Osteria, LLC, dba Nora's Wine Bar & Osteria Dining (Non-operational), Giuseppe Maura, Managing Mmbr, 50% and Salvatore Maura, Managing Mmbr, 50% - All Wards
36. Approval of an extension of a Temporary Tavern License for a Change of Ownership, Change of Business Name, and Change of Location, From: Fancy Nuts, LLC, dba Martinis (Non-operational), To: Mixed Nuts, LLC, dba Outside Inn, 9941 West Charleston Boulevard, William R. Phillips, Managing Mmbr, 100% - Ward 2 (Wolfson)
37. Approval of an extension of a Temporary Restricted Gaming License, Mixed Nuts, LLC, dba Outside Inn, 9941 West Charleston Boulevard, William R. Phillips, Managing Mmbr, 100% - Ward 2 (Wolfson)

38. Approval of an extension of a Temporary Tavern License for a Change of Ownership and Change of Business Name, From: SPE MD Holdings, LLC, dba Silverstone Golf Club, To: Par 72, LLC, dba Par 4 at Silverstone, 8600 Cupp Drive, Paul Jaramillo Family Trust, Paul Jaramillo, Mgr, Trustee; Jaramillo Family Trust; Chrissann Flatt, Shareholder and James Flatt, Shareholder, Mgr; The S & B Buckley Family Trust; and Robert Tyndall and Sydney N. Tyndall Family Trust - Ward 6 (Ross)
39. Approval of an extension of a Temporary Beer/Wine/Cooler On-sale License for a Change of Ownership and Change of Business Name, From: Jack Young, LLC, dba Royal Thai, To: Prachatouch, LLC, dba Weera Thai Restaurant, 3839 West Sahara Avenue, Suite 9, Prachatouch Thonguthaisiri, Mgr, 100% - Ward 1 (Tarkanian)
40. Approval of a Change of Ownership and Change of Location for a Martial Arts Instruction Business License subject to the provisions of the planning and fire codes, From: Marc Laimon, 2104 Highland Drive, To: Neoronin, LLC, dba Cobra Kai Jiu Jitsu, 1525 West Oakey Boulevard, Marc Laimon, Mgr, 100% - Ward 3 (Reese)

#### **PUBLIC WORKS - CONSENT**

41. Approval of Amendment No. 1 to Highway Agreement No. P-093-10-063 between the City of Las Vegas and the Nevada Department of Transportation to change the scope of work to allow funding for bollard lights and on-street bike lanes along suggested routes for Vegas Verdes Elementary School and Hyde Park Middle School - Ward 1 (Tarkanian)
42. Approval of a Facilities Relocation Agreement between the City of Las Vegas and Nevada Power Company, a Nevada corporation dba NV Energy, to cover the construction expenses associated with the NV Energy substation to allow construction of the Bonanza Trail and Valley View Boulevard projects (\$746,310 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 1 (Tarkanian)
43. Approval of Rule 9 Line Extension Agreement No. 3061 between the City of Las Vegas and Nevada Power Company, a Nevada Corporation dba NV Energy, for electrical service at the Sandhill and Owens Park and Trailhead located at Sandhill Road and the Las Vegas Wash (\$65,493 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)

### **DISCUSSION/ACTION ITEMS**

#### **ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION**

44. Discussion and possible action regarding the Disposition and Development Agreement between the City of Las Vegas and the Nevada Health Centers, Inc. for the construction of a medical office building and acquisition of a 2.42 acre site in Enterprise Park, located at 1888 Stella Lake Street (APN 139-21-313-016) - Ward 5 (Barlow) [NOTE: This item is related to Council Item 50 (R-14-2011)]

#### **FINANCE - DISCUSSION**

45. Discussion and possible action regarding Fiscal Year 2012 City of Las Vegas Tentative Operating Budget – All Wards

#### **PARKS, RECREATION AND NEIGHBORHOOD SERVICES - DISCUSSION**

46. Discussion and possible action on an estimated allocation of \$1,098,706 in FY 2011-2012 Housing Opportunities for Persons with AIDS (HOPWA) grant funds to the City of Las Vegas by the Department of Housing and Urban Development (HUD) - All Wards
47. Discussion and possible action on an estimated allocation of \$225,482 in FY 2010-2011 Emergency Shelter Grant (ESG) funds to the City of Las Vegas by the Department of Housing and Urban Development (HUD) - All Wards
48. Discussion and possible action on an estimated allocation of \$5,540,639 in FY 2011-2012 Community Development Block Grant (CDBG) funds to the City of Las Vegas by the Department of Housing and Urban Development (HUD) - All Wards

#### **RESOLUTIONS - DISCUSSION**

49. R-13-2011 - Discussion and possible action regarding a Resolution to implement an Employment Plan Policy designed for City of Las Vegas Economic Development Projects - All Wards [NOTE: This item is related to RDA Item 4 (RA-4-2011)]

50. R-14-2011 - Discussion and possible action regarding a Resolution consenting to the sale of real property described as APN 139-21-313-016 by the City of Las Vegas and the Nevada Health Centers, Inc. for the construction of a medical office building on a 2.42 acre site in Las Vegas Enterprise Park, located at 1888 Stella Lake Street - Ward 5 (Barlow) [NOTE: This item is related to Council Item 44]

#### **BOARDS & COMMISSIONS - DISCUSSION**

51. SENIOR CITIZEN LAW PROJECT ADVISORY BOARD – Marguerite Mathis, Term Expiration 4/18/2011

#### **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

#### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

52. ABEYANCE ITEM - Bill No. 2011-5 – Updates permitting, identification and securing requirements for news racks, including authorization for permit sticker fees. Sponsored by: Councilman Steven D. Ross
53. Bill No. 2011-10 – Adopts the 2009 Edition of the International Building Code, together with amendments thereto. Sponsored by: Councilman Steven D. Ross
54. Bill No. 2011-11 – Updates the City’s Administrative Code, relating to the administration of the various building and technical codes. Sponsored by: Councilman Steven D. Ross
55. Bill No. 2011-12 – Adopts the 2009 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City’s Plumbing Code. Sponsored by: Councilman Steven D. Ross
56. Bill No. 2011-13 – Adopts the 2009 Edition of the Uniform Mechanical Code, together with amendments thereto, as the City’s Mechanical Code. Sponsored by: Councilman Steven D. Ross
57. Bill No. 2011-14 – Adopts the 2008 Edition of the National Electrical Code, together with local amendments thereto. Sponsored by: Councilman Steven D. Ross
58. Bill No. 2011-15 – Adopts an updated version of the Southern Nevada Amendments to the 2009 International Energy Conservation Code. Sponsored by: Councilman Steven D. Ross
59. Bill No. 2011-16 – Adopts the 2009 Edition of the Southern Nevada Pool Code. Sponsored by: Councilman Steven D. Ross
60. Bill No. 2011-17 – Adopts the 2010 Edition of the City of Las Vegas Amusement and Transportation Rides Code as a replacement for the 1993 Edition of that Code. Sponsored by: Councilman Steven D. Ross

#### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

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

#### **NEW BILLS - DISCUSSION**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

62. Bill No. 2011-19 – Expands and clarifies the applicability of certain parking-related prohibitions relating to City-owned parking lots, City-owned parking garages, and public rights-of-way. Sponsored by: Councilman Gary Reese
63. Bill No. 2011-20 – Authorizes installment-purchase agreements with Bank of America Leasing & Capital, LLC, for taxable direct pay clean renewable energy bonds and taxable direct pay qualified energy conservation bonds for the purpose of financing energy conservation and renewable energy projects. Proposed by: Candace Falder, Director of Finance

## CLOSED SESSION

64. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

## 1:00 P.M. - AFTERNOON SESSION

### BUSINESS ITEMS - AFTERNOON

65. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

### HEARINGS - DISCUSSION

66. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 3332 Mariner Bay Street in the amount of \$5,278.75 (General Fund) and assess a maximum of \$48,550 in daily civil penalties. PROPERTY OWNER: BANK HSBC USA NA TRS - Ward 2 (Wolfson)
67. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 3020 Brady Avenue in the amount of \$5,597.25 (General Fund) and assess a maximum of \$30,550 in daily civil penalties. PROPERTY OWNER: FEDERAL NATIONAL MORTGAGE ASSN - Ward 3 (Reese)
68. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 1309 North 22nd Street in the amount of \$5,474.25 (General Fund) and assess a maximum of \$23,550 in daily civil penalties. PROPERTY OWNER: BANK CITIBANK NA TRS - Ward 3 (Reese)
69. Public Hearing on local improvement district for Special Improvement District No. 1485 – Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance - FY2012) - (\$62,800 - Special Assessments Capital Projects Fund) - Ward 1 (Tarkanian)
70. Public Hearing on local improvement district for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) - (\$252,402 - Special Assessments Capital Projects Fund) - Ward 5 (Barlow)

## PLANNING

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

### PLANNING - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

71. EOT-40912 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: COLFIN WLH LAND ACQUISITIONS, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-13852) FOR A 49-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 24.8 acres at the southwest corner of Horse Drive and Coke Street (APNs 125-09-704-001, 125-09-602-004, 125-09-702-001, 002, and 003), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends APPROVAL.
72. EOT-40914 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: COLFIN WLH LAND ACQUISITIONS, LLC - Request for an Extension of Time of a previously approved Variance (VAR-13853) TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 35,293 SQUARE FEET ARE REQUIRED FOR A 49-LOT RESIDENTIAL SUBDIVISION on 24.8 acres at the southwest corner of Horse Drive and Coke Street (APNs 125-09-704-001, 125-09-602-004, 125-09-702-001, 002, and 003), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

73. EOT-40993 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: O&A PROPERTIES, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-32447) FOR A PROPOSED 2,672 SQUARE-FOOT, TWO-STORY OFFICE BUILDING WITH WAIVERS TO ALLOW LANDSCAPE BUFFERS OF FIVE FEET ALONG THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED; SEVEN FEET ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED; AND ZERO FEET ALONG THE SOUTH AND EAST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.16 acres at 1141 South Maryland Parkway (APN 162-02-115-134), C-D (Designed Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.
74. EOT-40994 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: O&A PROPERTIES, LLC - Request for an Extension of Time of a previously approved Variance (VAR-32448) TO ALLOW A BUILDING SETBACK OF 43 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 96 FEET; A FIVE-FOOT FRONT YARD SETBACK WHERE 25 FEET IS REQUIRED; AND A SEVEN-FOOT CORNER SIDE SETBACK WHERE 15 FEET IS REQUIRED on 0.16 acres at 1141 South Maryland Parkway (APN 162-02-115-134), C-D (Designed Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

### **PLANNING - ONE MOTION/ONE VOTE**

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

75. RQR-40724 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: WESTLAND ENTERPRISES - OWNER: FRED KAVLI - Required Review of a previously approved Special Use Permit (SUP-26774) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 4510 North Tenaya Way (APN 138-03-601-003), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
76. RQR-40946 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: 305 LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0008-96) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 330 East Charleston Boulevard (APN 162-03-115-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.
77. SDR-40766 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: NEVADA HEALTH CENTERS - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 30,800 SQUARE-FOOT MEDICAL OFFICE on a 2.39 acre portion of a 6.07-acre lot at the southeast corner of Mount Mariah Drive and Stella Lake Street (APN 139-21-313-016), C-PB (Planned Business Park) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

### **PLANNING - DISCUSSION**

78. GPA-39489 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - Request for a General Plan Amendment FROM: SC (SERVICE COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), Ward 4 (Anthony). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.
79. ZON-39490 - ABEYANCE ITEM - REZONING RELATED TO GPA-39489 - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), Ward 4 (Anthony). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.
80. VAR-39492 - ABEYANCE ITEM - VARIANCE RELATED TO GPA-39489 AND ZON-39490 - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - Request for a Variance TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED AND A ZERO-FOOT SIDE YARD SETBACK WHERE TEN FEET IS REQUIRED on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 4 (Anthony). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.

81. SDR-39491 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-39489, ZON-39490 AND VAR-39492 - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES, LLC - Request for a Site Development Plan Review FOR THE ADDITION OF A PROPOSED 9,000 SQUARE-FOOT HEAVY MACHINERY AND EQUIPMENT (RENTAL, SALES AND SERVICE) BUILDING TO A SITE THAT CONTAINS AN EXISTING 4,011 SQUARE-FOOT OFFICE, WITH A WAIVER OF PERIMETER LANDSCAPE STANDARDS TO ALLOW A SEVEN-FOOT BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED on 1.21 acres at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 4 (Anthony). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.
82. SUP-40564 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SEQUOIA ELECTRIC - OWNER: SAGEBRUSH PROPERTY VENTURES - Request for a Special Use Permit FOR A RENTAL STORE WITH OUTSIDE STORAGE at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 4 (Anthony). The Planning Commission (6-0-1 vote) and Staff recommend DENIAL.
83. VAR-40579 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CONAN AND JESSICA TURNER - Request for a Variance TO ALLOW TWO PROPOSED ACCESSORY STRUCTURES (CLASS I AND CLASS II) WITH A COMBINED FLOOR AREA OF 3,467 SQUARE FEET WHERE 809 SQUARE FEET IS THE MAXIMUM ALLOWED, TO ALLOW AN ACCESSORY STRUCTURE (CLASS II) TO NOT BE AESTHETICALLY COMPATIBLE (METAL) WITH THE PRINCIPAL DWELLING UNIT (STUCCO), AND TO ALLOW BOTH ACCESSORY STRUCTURES TO BE 13 FEET SIX INCHES WHERE 13 FEET IS THE MAXIMUM ALLOWED on 0.45 acres at 6308 Jennifer Court (APN 138-02-811-030), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend DENIAL.
84. SUP-40577 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-40579 - PUBLIC HEARING - APPLICANT/OWNER: CONAN AND JESSICA TURNER - Request for a Special Use Permit FOR A PROPOSED 1,067 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WITH KITCHEN at 6308 Jennifer Court (APN 138-02-811-030), R-E (Residence Estate) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and Staff recommend DENIAL.
85. SDR-37363 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LIED FOUNDATION TRUST - Council Review of a request for a Major Amendment to an approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS WHERE THREE AND FOUR FEET WERE PREVIOUSLY APPROVED, RESPECTIVELY on 2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
86. ZON-40756 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC WOODS RENTALS, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: PR (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), Ward 3 (Reese). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
87. VAR-40757 - VARIANCE RELATED TO ZON-40756 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC WOODS RENTALS, LLC - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE FIVE SPACES ARE REQUIRED on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: PR (Professional Offices and Parking)], Ward 3 (Reese). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
88. VAR-40758 - VARIANCE RELATED TO ZON-40756 AND VAR-40757 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC WOODS RENTALS, LLC - Request for a Variance TO ALLOW NO PERIMETER SCREEN WALL WHERE A MINIMUM SIX-FOOT TALL WALL IS REQUIRED ADJACENT TO A RESIDENTIAL ZONING DISTRICT on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: PR (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
89. VAR-40876 - VARIANCE RELATED TO ZON-40756, VAR-40757 AND VAR-40758 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC WOODS RENTALS, LLC - Request for a Variance TO ALLOW A LOT WIDTH OF 49 FEET WHERE 60 FEET IS THE MINIMUM REQUIRED on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: PR (Professional Office and Parking)], Ward 3 (Reese). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

90. SDR-40759 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40756, VAR-40757 AND VAR-40758 - PUBLIC HEARING - APPLICANT/OWNER: PACIFIC WOODS RENTALS, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 2,482 SQUARE-FOOT SINGLE FAMILY RESIDENCE TO AN OFFICE, OTHER THAN LISTED WITH A WAIVER TO ALLOW NO PERIMETER LANDSCAPE BUFFERS WHERE EIGHT-FOOT WIDE BUFFERS ARE REQUIRED ALONG THE NORTH, SOUTH AND EAST PERIMETERS on 0.17 acres at 717 South 8th Street (APN 139-34-810-040), R-1 (Single Family Residential) Zone [PROPOSED: PR (Professional Office and Parking)], Ward 3 (Reese). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
91. SUP-39821 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONEYTREE, INC. - OWNER: KATSAM, LLC - Request for a Special Use Permit FOR AN AUTO TITLE LOAN USE WITHIN AN EXISTING 3,093 SQUARE-FOOT NONCONFORMING FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 90-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, A 990-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED AND HOURS OF OPERATION FROM 7:00 A.M. to 11:00 P.M. WHERE 8:00 A.M. to 11:00 P.M. IS ALLOWED at 2950 West Sahara Avenue (APN 162-05-816-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.
92. SUP-40739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACE LOAN COMPANY - OWNER: B F TRUST – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PAWN SHOP WITHIN AN EXISTING 1,606 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS TO ALLOW A 50-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 20-FOOT DISTANCE SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION WHERE 1,000 FEET IS REQUIRED at 519 East St. Louis Avenue (APN 162-03-311-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6 0-1 vote) and Staff recommend DENIAL.
93. SUP-40747 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GRACEFUL FACIALS AND BODYWORK, INC. - OWNER: 6600 W. CHARLESTON, LLC - Request for a Special Use Permit FOR A 1,730 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW DISTANCE SEPARATION OF 100 FEET FROM A RELIGIOUS FACILITY WHERE 400 FEET IS REQUIRED, ZERO FEET FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED AND 730 FEET FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED at 6600 West Charleston Boulevard, Suite #126 (APN 138-35-401-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
94. SUP-40771 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RODO, LLC - OWNER: J & L PROPERTY LEASING, LLC - Request for a Special Use Permit FOR AN 11,361 SQUARE-FOOT MOTOR VEHICLE SALES (USED) USE at 5600 West Sahara Avenue (APNs 163-01-404-014 and 021), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.
95. ROC-41050 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: BROWNMAIL, INC. - OWNER: TOFFY ENTERPRISES - Request for a Review of Condition to delete Conditions 'A' and Number 2 of a previously approved Special Use Permit (SUP-13271) WHICH RESTRICTED "THE HOURS OF OPERATION FROM 6 A.M. TO MIDNIGHT, SEVEN DAYS A WEEK"; AND STATES "THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED" at 8251 West Charleston Boulevard (APN 163-04-117-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.
96. ROC-41174 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: THE SMITH CENTER - OWNER: CITY OF LAS VEGAS - Request for a Review of Condition of a previously approved Site Development Plan Review (SDR-40146) TO REVISE THE PROMENADE PLACE AND CLARK AVENUE PARKING GARAGE ELEVATIONS TO ADD ADDITIONAL DÉCORATIVE ELEMENTS WHERE CONDITION "A" REQUIRED MESH SCREENING on a portion of 5.10 acres at the northeast corner of Clark Avenue and Promenade Place (APN 139-33-610-026), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**SET DATE**

97. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**CITIZENS PARTICIPATION**

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

**COUNCIL MEMBER RECOGNITION**

99. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

- City Clerk's Bulletin Board, City Hall Plaza, 2<sup>nd</sup> Floor Skybridge
- Bulletin Board, City Hall Plaza, (next door to Metro Records)
- Las Vegas Library, 833 Las Vegas Boulevard North
- Clark County Government Center, 500 S. Grand Central Parkway
- Grant Sawyer Building, 555 E. Washington Avenue

**EXHIBIT B**

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



## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)

COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**April 20, 2011**

**Morning Session begins at 9:00 a.m.**

**Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

### CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MONSIGNOR KEVIN McAULIFFE, PASTOR, SAINT ELIZABETH ANN SETON ROMAN CATHOLIC CHURCH
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO ELECTED OFFICIALS – COUNCILMAN, WARD 1; COUNCILMAN, WARD 5; AND MUNICIPAL COURT JUDGE, DEPARTMENT 5
6. RECOGNITION OF THE EMPLOYEE OF THE MONTH
7. RECOGNITION OF THE TEAM OF THE QUARTER
8. RECOGNITION OF THE SENIOR OF THE QUARTER
9. RECOGNITION OF UNITED WAY DAY

10. RECOGNITION OF THE CENTENNIAL HIGH SCHOOL STATE CHAMPION GIRLS BASKETBALL TEAM, BOYS BOWLING TEAM AND GIRLS SOCCER TEAM
11. RECOGNITION OF THE LAS VEGAS FIRE & RESCUE DEPARTMENT
12. RECOGNITION OF THE VETERANS MEMORIAL LEISURE SERVICES CENTER FITNESS INSTRUCTORS

### **BUSINESS ITEMS - MORNING**

13. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
14. Approval of the Final Minutes by reference of the regular City Council meeting of March 16, 2011

### **CONSENT AGENDA**

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

#### **ADMINISTRATIVE - CONSENT**

15. Approval of the Grant Agreement between the Commission for the Las Vegas Centennial and the Neon Museum, a 501c3, providing \$150,000 for the restoration and reconstruction project of the interior lobby build out of the La Concha Motel located at 770 Las Vegas Boulevard North – Ward 5 (Barlow)
16. Approval of Retainer Letter Agreement between Michael C. Niarchos of Rosenfeld and Rinato and City Parkway V, Inc., for professional services for City Parkway V, Inc., the Department of Economic and Urban Development and any other business related matters (\$137,000 annually - City Parkway V, Inc.)

#### **FINANCE - CONSENT**

17. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
18. Approval of an Interlocal Agreement between the Southern Nevada Water Authority, the City of Las Vegas, the City of Henderson and the Clark County Water Reclamation District to correct the distribution of a quarter (1/4) cent sales tax funding to member agencies - All Wards

#### **FINANCE - PURCHASING & CONTRACTS CONSENT**

19. Approval of award of Agreement No. 110183-TF, Prime Design Services Agreement for the Las Vegas Wash Middle Branch, Grand Teton Storm Drain located on Grand Teton Drive between Rainbow Boulevard and Durango Drive - Department of Public Works - Award recommended to: VTN NEVADA (\$600,000 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
20. Approval of award of Bid No. 10.1730.19-LED, Oakey-Meadows Storm Drain Phase 2A Fair Center Mall to Charleston Boulevard at Hinson Street and the construction conflicts and contingency reserve set by Finance - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$6,430,467 - Road and Flood Capital Projects Fund) - Ward 1 (Tarkanian)
21. Approval of award of Modification No. 5 to Contract No. 060044-SB, Architect and Associated Services for the Post Office/Courthouse Rehabilitation Project, now known as the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Office of the City Manager - Award recommended to: WRL OF NEVADA (\$372,164 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)

## **OPERATIONS AND MAINTENANCE - CONSENT**

22. Approval of a Declaration of Intent to Retain a Pedestrian Easement along the south side of McWilliams Drive and the west side of Encanto Drive for a portion of the Southeast Quarter (SE1/4) of Section 27, Township 20 South, Range 61 East, Mount Diablo Meridian, APN's 139-27-812-045 and 139-27-805-005 - Ward 5 (Barlow)

## **PLANNING - BUSINESS SERVICES CONSENT**

23. Approval of a Special Event Alcoholic Beverage License for Agave Mexican Restaurant, Location: 10820 West Charleston Boulevard (parking lot), Date: May 5, 2011, Type: Special Event General, Event: Cinco de Mayo, Responsible Person in Charge: Tad Gencarelli - Ward 2 (Wolfson)
24. Approval of a Special Event Alcoholic Beverage License for California Hotel & Casino, Location: 100 Stewart Avenue (Main Street parking lot), Dates: April 30 and May 1, 2011, Type: Special Event Beer/Wine, Event: May Day Lei Day Festival, Responsible Person in Charge: Lane Conley - Ward 5 (Barlow)
25. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for Christ Church Episcopal and Huntridge Teen Clinic, Location: 2000 South Maryland Parkway, Date: May 7, 2011, Type: Special Event Beer/Wine, Event: Art Show and Organ Concert, Responsible Person in Charge: Bonnie Polley - Ward 3 (Reese)
26. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for A Time In History Inc., Location: 713 Stewart Avenue, Dates: May 12 - 15, 2011, Type: Special Event Beer/Wine, Event: Helldorado Rodeo Event, Responsible Person in Charge: Lori Yerger - Ward 5 (Barlow)
27. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning code and Health Dept. regulations for Leticia's Cocina, Location: 7585 Norman Rockwell Lane (parking lot), Date: May 7, 2011, Type: Special Event General, Event: Cinco de Mayo Festival, Responsible Person in Charge: Leticia Gardea - Ward 6 (Ross)
28. Approval of a Special Event Alcoholic Beverage License subject to the provisions of the planning and fire codes for J & M United, LLC, dba Lindo Michoacan Centennial, Location: 7870 West Tropical Parkway (courtyard), Date: May 5, 2011, Type: Special Event General, Event: Cinco de Mayo, Responsible Person in Charge: Mark Berry - Ward 6 (Ross)
29. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, 7 Eleven of Nevada, Inc., dba 7 Eleven Store 26751C, 6702 West Cheyenne Avenue, Fast and Quick, Inc., Noorullah Karimzada, Pres, Secy, Treas, Dir, 100% - Ward 4 (Anthony)
30. Approval of an extension of a Temporary Restricted Gaming License, Big Dollar Stores, LLC, dba Big Dollar Stores, 1725 South Rainbow Boulevard, Suite 1, Jeffrey Chauncey, Mmbr, 90% and Danny Velarde, Mmbr, 10% - Ward 1 (Tarkanian)
31. Approval of a Restricted Gaming License subject to the provisions of the planning and fire codes and confirmation of approval by the Nevada Gaming Commission, E T T, LLC, db at Stewart Market, 2021 Stewart Avenue, David Ross, Mgr and Ferenc Szony, Mgr - Ward 3 (Reese)
32. Approval of an extension of a Temporary Auctioneer License, Cove Creek Partners, LLP, dba United Country Auction Services, 209 West Broadway Street, Jerry Jones, Ptnr, 50% and Richard Terrel, Ptnr, 50% - Texas
33. Approval of an extension of a Temporary Burglar Alarm Service License, A & B Security Group, Inc., dba A & B Security Group, Inc., 3201 West Sahara Avenue, Suites A, C-H, Gary Schaff, Pres, Secy, Treas, Dir and Philip Pupanek, VP Sales and Marketing - Ward 1 (Tarkanian)

## **PUBLIC WORKS - CONSENT**

34. Approval of an Easement Occupancy Permit between the City of Las Vegas and the Southern Nevada Water Authority to allow occupancy of improvements for the Water Pollution Control Facility 3 Megawatt Solar Photovoltaic Project located on Vegas Valley Drive and Tree Line Drive, APN's 161-10-701-001 and 161-10-701-014 - County (near Ward 3-Reese)

35. Approval of Rule 9 Line Extension Agreement No. 2445 between the City of Las Vegas and Nevada Power Company, a Nevada Corporation, dba NV Energy for the extension of existing power facilities to relocate existing facilities for Traffic Package 6B project located at the intersections of Charleston Boulevard and Durango Drive and Charleston Boulevard and Rancho Drive (\$24,302 - Federal Safety Funds) - Wards 1, 2 and 5 (Tarkanian, Wolfson and Barlow)

### **RESOLUTIONS - CONSENT**

36. R-15-2011 - Approval of a Resolution overruling complaints, protests, and objections and confirming the final assessment roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2012) (\$62,800 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)
37. R-16-2011 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$252,402 - Capital Projects Fund/Special Assessments) - Ward 5 (Barlow)

### **DISCUSSION/ACTION ITEMS**

#### **ADMINISTRATIVE - DISCUSSION**

38. Report to satisfy annual requirement under Ordinance No. 6067 regarding spaying/neutering of certain animals - All Wards

#### **ECONOMIC AND URBAN DEVELOPMENT - DISCUSSION**

39. Discussion and possible action regarding a Second Amendment to the Disposition and Development Agreement between the City of Las Vegas and Resort Gaming Group, LLC, for the purpose of amending the expiration date of the due diligence period and not requiring the Developer to pay the due diligence extension deposits for the site located at Stewart Avenue and Las Vegas Boulevard - Ward 5 (Barlow)
40. Discussion and possible action regarding a Settlement Agreement by Decatur Shopping Center Associates, a Nevada limited partnership, City of Las Vegas, a municipal corporation of the State of Nevada, City of Las Vegas Redevelopment Agency (RDA), a Public body, and Alpha Omega Strategies, LLC, a Nevada limited liability company pertaining to the real property located at 1501 North Decatur Boulevard - Ward 5 (Barlow) [NOTE: This is a related item to RDA Items 6 and 7 and Council Item 41]
41. Discussion and possible action regarding a First Amendment To Fourth Amended And Restated Disposition And Development Agreement by and between City of Las Vegas, a municipal corporation of the State of Nevada, the City of Las Vegas Redevelopment Agency (RDA), a Public Body, and Alpha Omega Strategies, LLC, pertaining to the disposition of the real property located at 1501 North Decatur Boulevard (\$324,000 Earnest Money Deposit) - Ward 5 (Barlow) [NOTE: This item is related to RDA Items 6 and 7 and Council Item 40]

#### **PLANNING - BUSINESS SERVICES DISCUSSION**

42. Discussion and possible action regarding the Denial of an Ice Cream Truck License, James D. Williams, dba Straight "A" Ice Cream, 1100 Searles Avenue, James Williams III, Owner, 100% - Ward 5 (Barlow)

### **RESOLUTIONS - DISCUSSION**

43. R-17-2011 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency regarding the Disposition and Development Agreement between the City of Las Vegas Redevelopment Agency and Las Vegas ICE, LLC, for the sale of real property generally located at the southeast corner of Clark Avenue and Las Vegas Boulevard - Ward 3 (Reese) [NOTE: This item is related to RDA Item 4 (RA-5-2011)]

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

44. Bill No. 2011-18 – Makes minor adjustments to the licensing and zoning treatment of beer/wine/cooler cultural establishments. Proposed by: Candace Falder, Director of Finance, and Flinn Fagg, Acting Director of Planning
45. Bill No. 2011-20 – Authorizes installment-purchase agreements with Bank of America Leasing & Capital, LLC, for taxable direct pay clean renewable energy bonds and taxable direct pay qualified energy conservation bonds for the purpose of financing energy conservation and renewable energy projects. Proposed by: Candace Falder, Director of Finance

### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

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

### **NEW BILLS - DISCUSSION**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

47. Bill No. 2011-21 Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2012) Proposed by: Jorge Cervantes, Director of Public Works
48. Bill No. 2011-22 Levies Assessment for Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Proposed by: Jorge Cervantes, Director of Public Works
49. Bill No. 2011-23 – Updates the Land Use and Rural Neighborhoods Preservation Element of the Las Vegas 2020 Master Plan to be consistent with the City's new Unified Development Code. Proposed by: Flinn Fagg, Acting Director of Planning

### **CLOSED SESSION**

50. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

### **1:00 P.M. - AFTERNOON SESSION**

#### **BUSINESS ITEMS - AFTERNOON**

51. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

#### **HEARINGS - DISCUSSION**

52. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 401 Antelope Way in the amount of \$3,606.75 (General Fund) and assess a maximum of \$57,550 in daily civil penalties. PROPERTY OWNER: BANK NEW YORK MELLON - Ward 1 (Tarkanian)

53. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 5608 Heron Avenue in the amount of \$2,953.20 (General Fund) and assess a maximum of \$66,550 in daily civil penalties. PROPERTY OWNER: BANK HSBC USA NA TRS - Ward 1 (Tarkanian)
54. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 704 Easy Street in the amount of \$2,573 (General Fund) and assess a maximum of \$55,550 in daily civil penalties. PROPERTY OWNERS: RAMIRO ORNELAS AND MARIA DELOURDES - Ward 1 (Tarkanian)
55. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of nuisance located at 7600 Seagull Avenue in the amount of \$3,857.50 (General Fund) and assess a maximum of \$41,050 in daily civil penalties. PROPERTY OWNERS: BERNARD L MILES AND DIANE H SCOTT-MILES - Ward 2 (Wolfson)
56. Public Hearing and possible action to consider the report of expenses to recover costs for abatement of dangerous building demolition located at 1662 G Street in the amount of \$14,625.75 (General Fund) and assess a maximum of \$145,550 in daily civil penalties. PROPERTY OWNER: WILLIAM PRENTISS - Ward 5 (Barlow)
57. Public Hearing and possible action to consider a request for a waiver and/or reduction of fees and/or civil penalties for the property located at 1005 North 21st Street in the amount up to \$29,554.60. PROPERTY OWNER: HOUSEHOLD FINANCE REALTY CORP NV - Ward 3 (Reese)

### PLANNING

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

#### PLANNING - DISCUSSION

58. VAR-40375 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GAETANO D'AGUINO - Request for a Variance TO ALLOW EIGHT PARKING SPACES WHERE 48 ARE REQUIRED on 1.03 acres at 2700 and 2770 Highland Drive (APNs 162-09-202-003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (3-3-1 vote) has NO RECOMMENDATION.
59. VAR-40543 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-40375 - PUBLIC HEARING - APPLICANT/OWNER: GAETANO D'AGUINO - Request for a Variance TO ALLOW A ZERO-FOOT FRONT AND SIDE YARD SETBACK WHERE TEN FEET IS REQUIRED on 1.03 acres at 2700 and 2770 Highland Drive (APNs 162-09-202-003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (3-3-1 vote) has NO RECOMMENDATION.
60. SDR-40374 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-40375 AND VAR-40543 - PUBLIC HEARING - APPLICANT/OWNER: GAETANO D'AGUINO - Request for a Site Development Plan Review TO CONVERT AN EXISTING WAREHOUSE INTO A 45,398 SQUARE-FOOT WHOLESALE SHOWROOM FACILITY WITH A WAIVER TO ALLOW NO PERIMETER LANDSCAPE BUFFER WHERE EIGHT FEET IS REQUIRED on 1.03 acres at 2700 and 2770 Highland Drive (APNs 162-09-202-003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (3-3-1 vote) has NO RECOMMENDATION.
61. SDR-37363 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LIED FOUNDATION TRUST - Council Review of a request for a Major Amendment to an approved Site Development Plan Review TO ALLOW ZERO-FOOT LANDSCAPE BUFFERS AND NO PLANTING MATERIALS ALONG THE NORTH AND EAST PERIMETERS WHERE THREE AND FOUR FEET WERE PREVIOUSLY APPROVED, RESPECTIVELY on 2.81 acres at 3901 West Charleston Boulevard (APN 162-06-502-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

- 62. SUP-40739 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACE LOAN COMPANY - OWNER: B F TRUST – Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PAWN SHOP WITHIN AN EXISTING 1,606 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVERS TO ALLOW A 50-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 20-FOOT DISTANCE SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION WHERE 1,000 FEET IS REQUIRED at 519 East St. Louis Avenue (APN 162-03-311-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6 0-1 vote) and Staff recommend DENIAL.
- 63. ROC-41161 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: WAI CHUN GINN - Request for a Review of Condition of a previously approved Special Use Permit (SUP-38536) TO AMEND CONDITION NUMBER 6 TO STATE THAT "ALL BEER AND WINE COOLERS SHALL REMAIN IN THEIR ORIGINAL MANUFACTURER'S CONFIGURATION" at 1451 West Owens Avenue (APN 139-28-501-001), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.
- 64. DIR-41270 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: OASIS LAS VEGAS, LLC - Appeal of the denial of a building permit (#182465-C-11) by the Director of the Planning Department for an Off-Premise Sign at 110 North Jones Boulevard (APN 138-25-404-008), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

**SET DATE**

- 65. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**CITIZENS PARTICIPATION**

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

**COUNCIL MEMBER RECOGNITION**

- 67. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

- City Clerk's Bulletin Board, City Hall Plaza, 2<sup>nd</sup> Floor Skybridge
- Bulletin Board, City Hall Plaza, (next door to Metro Records)
- Las Vegas Library, 833 Las Vegas Boulevard North
- Clark County Government Center, 500 S. Grand Central Parkway
- Grant Sawyer Building, 555 E. Washington Avenue

**EXHIBIT C**

**(Attach Affidavit of Publication of Filing of Bond Ordinance)**

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK 2296311LV 7107042

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/07/2011 to 04/07/2011, on the following days:

04/07/2011

BILL NO. 2011-20

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

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

/s/ Beverly K. Bridges, MMC  
City Clerk  
PUB: April 7, 2011  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 7th day of April, 2011.

Emily Gonzalez  
Notary Public



**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Bond Ordinance)**

AFFIDAVIT DISTRICT COURT  
Clark County, Nevada

RECEIVED  
CITY CLERK

AFFIDAVIT OF PUBLICATION

2011 MAY -3 A 11: 17

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Stacey M. Lewis, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

7139980

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 04/23/2011 to 04/23/2011, on the following days:

04/23/2011

FIRST AMENDMENT  
BILL NO. 2011-20  
ORDINANCE NO. 6148

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

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

Those Voting Aye: Gary Reese  
Steve Wolfson  
Lois Tarkanian  
Ricki Y. Barlow  
Stavros S. Anthony

Those Voting Nay: NONE

Those Absent: Oscar B. Goodman  
Steven D. Ross

This Ordinance shall be in full force and effect from and after the 23rd day of April, 2011, i.e., the date of publication of such Ordinance by title only.

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

DATED this April 20, 2011.

Attest: /s/ Oscar B. Goodman  
Mayor, City of Las Vegas  
/s/ Beverly K. Bridges, MMC  
Clerk, City of Las Vegas  
PUB: April 23, 2011  
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE  
26th day of April, 2011.

Emily Gonzalez  
Notary Public

