

Summary - An ordinance authorizing the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999 and providing other matters relating thereto.

BILL NO. 99-41
ORDINANCE NO. 5162

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING EQUIPPING AND IMPROVING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) 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

WHEREAS, pursuant to Section 7.020 of the Charter, the City, acting through the City Council (the "Council" or the "Governing Body") is authorized to borrow money for any municipal purpose and for such purpose may issue bonds or other securities, and pursuant to Nevada Revised Statutes ("NRS") §§ 268.672 to 268.740 (the "City Bond Law"), the City is authorized to issue bonds to finance park and recreational projects as defined in NRS §§ 268.702 and 268.710, respectively, for the City (the "Project"); and

WHEREAS, pursuant to Nevada Revised Statutes ("NRS") §§ 350.085 through 350.095, inclusive (the "Act"), the City is authorized to enter into a medium-term financing to finance the Project and to issue, as evidence thereof, negotiable medium-term notes

or bonds which shall not be paid in whole or in part from a levy of a special tax exempt from the limitations on the levy of ad valorem tax, but which shall be paid from other legally available funds of the County (subject to certain Constitutional and statutory tax limitations), which must mature not later than 10 years after the date of issuance and must bear interest at a rate or rates which do not exceed by more than 3 percent the "Index of Twenty Bonds" which was most recently published before bids for their purchase are received; and

WHEREAS, pursuant to NRS § 350.087 and pursuant to a resolution adopted by the Council, the Council determined to publish a notice (the "Notice") of its intention to authorize and to issue medium-term bonds in the maximum principal amount of \$25,000,000 in a newspaper of general circulation in the City and an affidavit of such publication is on file in the office of the City Clerk; and

WHEREAS, the Board adopted by at least a two-thirds majority a resolution authorizing medium-term obligations in the maximum principal amount of \$25,000,000 to finance the Project (the "Authorizing Resolution") which contained a finding by the Council that the public interest requires medium-term obligations and a statement of the facts upon which the finding was based, which vote was taken at least 10 days after the publication of the Notice; and

WHEREAS, pursuant to NRS § 350.089 and relevant provisions of the Nevada Administrative Code, the Council caused a certified copy of the Authorizing Resolution and supporting documents to be submitted to the Executive Director of the Department of Taxation of the State of Nevada (the "Department of Taxation") for his approval; and

WHEREAS, the City received the approval of the Executive Director of the Department of Taxation for such medium-term obligations, a copy of such approval being attached to the following page as follows:

(Attach Approval of Department of Taxation)

WHEREAS, the approval of the Department of Taxation as set forth in the preambles hereof is hereby recorded in the minutes of the Council as required by § 350.089; and

WHEREAS, the City has not previously utilized any of the authority so approved by the Department of Taxation; and

WHEREAS, pursuant to the Authorizing Resolution, the Council ordered the medium-term obligations to be publicly offered for sale in the form of medium-term bonds, authorized the City Finance Director to arrange for the sale of the such medium-term bonds; and

WHEREAS, the Council hereby determines that the bonds herein authorized to be issued shall be designated the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999" in the aggregate principal amount of \$25,000,000 (the "Bonds"); and

WHEREAS, the Council has determined and hereby declares and determines that legally available funds of the City will at least equal the amount required in each year for the payment of interest on and the principal of the Bonds; and

WHEREAS, pursuant to NRS § 350.091, the Council has determined and hereby determines that the maximum term of the Bonds does not exceed the estimated useful life of the Project financed with the proceeds of the Bonds; and

WHEREAS, the Council elects to and hereby determines to issue the Bonds in accordance with the provisions of NRS §§ 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof by the short title "Local Government Securities Law" (the "Bond Act"); and

WHEREAS, the Council is not authorized to levy general ad valorem taxes (the "General Taxes") to pay the principal of or interest on the Bonds exempt from the limitations of any statutes of the State; any General Taxes levied for the purpose of paying principal or interest on the Bonds will be subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453; and

WHEREAS, the Council is therefore authorized and empowered by the Charter, the City Bond Law, by the Act, by the approval of the Executive Director of the

Department of Taxation, and by the Bond Act, without any further preliminaries:

- A. To issue and sell the City's Bonds; and
- B. To exercise the incidental powers provided in the Bond Act in connection with the powers authorized therein or as otherwise expressly provided therein; and

WHEREAS, after public advertisement the Council caused to be received and to be opened publicly sealed bids for the purchase of all of the Bonds herein authorized; and

WHEREAS, the Council in the Authorizing Resolution authorizing the City Director of Finance or his designee to arrange for the issuance and sale of the Bonds, subject to, among other conditions, adoption by the City of this Ordinance specifying the Bond terms and details and approving their sale; and

WHEREAS, after notice inviting bids for their purchase, the City Director of Finance Director, as the chief financial officer of the City, or the City Manager, as the chief administrative officer of the City, is hereby authorized to receive and publicly open bids and sell the Bonds to the best bidder therefor (the "Purchaser") and the City Director of Finance or the City Manager is hereby authorized to accept a binding bid for the Bonds, the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal"), such rates not to exceed 3 percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Bonds plus a premium or less a discount not to exceed 9 percent of the principal amount of the Bonds, all as specified by the City Director of Finance or the City Manager in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Finance Director"); and

WHEREAS, the Council hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

WHEREAS, the Council has determined and hereby declares that each of the limitations and other conditions to the issuance of the Bonds in the Charter, the City Bond Law, the Act, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or

the Federal Government, has been met; and pursuant to § 350.708, Bond Act, 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.

WHEREAS, the Board has determined and does hereby declare:

(i) This Ordinance pertains to the sale, issuance and payment of the Bonds; and

(ii) Such declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of subsection 2, § 350.579, Bond Act.

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

SECTION 1. **Short Title.** This Ordinance shall be known and may be cited as the "1999 Medium-Term Park Bond Ordinance" (this "Ordinance").

SECTION 2. **Acceptance of Purchase Proposal.** The City Manager or the City Director of Finance is hereby authorized to accept the Purchase Proposal submitted by the Purchaser for the purchase of the Bonds as set forth in the preambles hereof.

SECTION 3. **Ratification.** All action heretofore taken by the Council and the officers and employees of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds is ratified, approved and confirmed including, without limitation, the Official Notice of Bond Sale, and the distribution of the preliminary and final official statements for the Bonds.

SECTION 4. **Necessity of Project and Bonds.** It is necessary and in the best interests of the Council, its officers, and the inhabitants of the City, that the City effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

SECTION 5. **Authorization of Project.** The Council hereby authorizes the Project.

SECTION 6. **Authorization of Bonds.** For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue the "City of Las Vegas, Nevada,

General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999" in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed \$25,000,000). The Bonds shall be in the form substantially as set forth in § 24 hereof.

SECTION 7. **Ordinance to Constitute Contract.** In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

SECTION 8. **Bonds Equally Secured.** The covenants and agreements herein set forth to be performed shall be for the equal benefit, protection and security of the owners of any and all of the outstanding Bonds, all of which, regardless of the time or times of their maturity, shall be of equal rank without preference, priority or distinction except as otherwise expressly provided in or pursuant to this Ordinance.

SECTION 9. **General Obligations.** All of the Bonds, as to the principal thereof and the interest thereon (the "Bond Requirements") shall constitute general obligations of the City, which hereby pledges its full faith and credit for their payment.

SECTION 10. **Payment of the Bonds.** The Bond Requirements of the Bonds shall be payable from any monies legally available therefor, and provision for the payment of the Bond Requirements of the Bonds shall be made as provided in the Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal of or interest on the Bonds shall be subject to the limitations contained in the Constitution and statutes of the State, including, without limitation, the limitations on the levy of ad valorem taxes imposed by NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453. The City is not authorized to levy ad valorem taxes exempt from the limitations of any of said statutes to pay the Bond Requirements of the Bonds. The City hereby irrevocably covenants with the registered owners of the Bonds from time to time that it will make sufficient provisions annually in its budget to pay the Bond Requirements of the Bonds, when due.

SECTION 11. **Limitations upon Security.** The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No

property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 12. **No Recourse Against Officers and Agents.** No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bond and as a part of the consideration of its issuance specially waived and released.

SECTION 13. **Bond Details.** The Bonds shall be issued in fully registered form. The Bonds shall be dated as of the 15th of the month preceding the date of delivery of the Bonds, and except as otherwise provided in Section 17 hereof, shall be issued in denominations of \$5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on the maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall bear interest from their date until their maturity date at the rates set forth in the Certificate of the Finance Director, payable on February 1 and August 1 of each year commencing on February 1, 2000; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature on August 1 in the designated amounts of principal and years (not to exceed ten years from the date of the Bonds) as designated in the Certificate of the Finance Director. The principal of any Bond shall be payable to the owner thereof as shown on the registration records kept by the City Treasurer in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity and upon presentation and surrender at the office of the City Treasurer, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid

in full.

SECTION 14. A. **Payment of Interest.** Except as otherwise provided in Section 17 hereof, payment of interest on any Bond shall be made to the owner thereof by check or draft mailed by the Paying Agent, on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the fifteenth day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration records of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent. All such payments of principal and interest shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

B. **No Prior Redemption.** Bonds, or portions thereof, are not subject to redemption prior to their respective maturities.

SECTION 15. **Negotiability.** Subject to the registration provisions herein provided, the Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform Commercial Code - Investment Securities and each owner shall possess all rights

enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

SECTION 16. **Registration, Transfer and Exchange of Bonds.** Except as otherwise provided in Section 17 hereof:

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the owner or his or her attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of Bonds of the same maturity of other authorized denominations, as provided in § 13 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the Registrar may make a sufficient charge to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond.

B. The person in whose name any Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes (except to the extent otherwise provided in § 13 hereof with respect to interest payments); and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the owner thereof or his or her legal representative. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

C. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the City may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

D. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the Council upon request.

SECTION 17. Book Entry.

A. Notwithstanding the foregoing provisions of Sections 13 to 16 hereof, the Bonds shall initially be evidenced by one Bond for the year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the Council that The

Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the Council of another depository institution acceptable to the Council and to the depository then holding the bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository; or

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this Subsection A, or a determination of the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the Council, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the outstanding bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 or any

integral multiple thereof, as provided in any subject to the limitations of Section 13 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

C. The Council, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any Bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the Council, the Registrar and the Paying Agent shall have no responsibility for transmitting payments to the beneficial owners of the Bonds held by The Depository Trust Company or any successor or new depository named pursuant to Subsection A hereof.

D. The Council, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection A hereof in effectuating payment of the Bond Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

SECTION 18. **Execution and Authentication.**

A. Prior to the execution of any Bonds and pursuant to § 350.638, Bond Act, to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as Chapter 351, NRS, and to the Supplemental Bond Act, the Mayor of the City of Las Vegas (the "Mayor"), the City Treasurer (the "Treasurer") and the City Clerk (the "Clerk") shall have each filed with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be signed and executed with the manual or facsimile signature of the

Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

C. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided, has been duly manually executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by an authorized officer or employee of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder. By authenticating any of the Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

D. The Mayor, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

SECTION 19. **Use of Predecessor's Signature.** The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the Treasurer, and the Clerk, at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature, the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

SECTION 20. **Incontestable Recital.** Pursuant to § 350.628 of the Bond Act, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

SECTION 21. **State Tax Exemption.** Pursuant to § 350.710, Bond Act, the Bonds, their transfer and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

SECTION 22. **Initial Registration.** The Registrar shall maintain separate registration records of the City for the Bonds, showing the name and address of the owner of each Bond authenticated and delivered, the date of authentication, the maturity of the Bond, and its interest rate, principal amount, and bond number.

SECTION 23. **Bond Delivery.** After such registration by the Registrar and after their execution and authentication as provided herein, the Treasurer shall cause the Bonds to be delivered to the Purchaser, upon payment being made in accordance with the terms of their sale.

SECTION 24. **Bond Form.** Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

**UNITED STATES OF AMERICA
STATE OF NEVADA
CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX)
MEDIUM-TERM PARK BONDS
SERIES 1999**

No. _____

\$ _____

Interest Rate

Maturity Date

Dated As of

CUSIP

_____ %

August 1, _____

[August 15, 1999]

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Las Vegas, Clark County, in the State of Nevada (the "City", the "County" and the "State", respectively) for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest thereon on February 1 and August 1 of each year, commencing on February 1, 2000, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for. This Bond shall bear interest from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of this Bond. The principal of this Bond is payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds (the "Paying Agent"), presently the City Treasurer in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed by first class mail to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the fifteenth day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be

payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the ordinance of the City Council of the City of Las Vegas (the "Council") authorizing the issuance of the Bonds (the "Bonds") and designated in § 1 thereof as the "1999 Medium-Term Park Bond Ordinance" (the "Ordinance"), duly adopted by the Council on August 18, 1999. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

The Bonds are issuable solely as fully registered Bonds in denominations of \$5,000 each or (subject to certain conditions) any integral multiple thereof, and are exchangeable for fully registered Bonds of the same maturity in equivalent aggregate principal amounts and in authorized denominations at the aforesaid office of the Registrar but only in the manner, subject to the limitations, and on payment of charges provided in the Ordinance.

This Bond is fully transferable by the registered owner in person or by his or her duly authorized attorney on the registration records kept by the Registrar upon surrender of this Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon such transfer a new fully registered Bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this Bond, on payment of the charges and subject to the terms and conditions as set forth in the Ordinance.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration of transfer, exchange, or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This Bond must be registered in the name of the owner as to both principal and interest on the registration records kept by the Registrar in conformity with the provisions stated herein and endorsed hereon and subject to the terms and conditions set forth in the Ordinance. No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the registered owner or his or her attorney duly authorized in writing.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest.

**** The Bonds shall not be transferable or exchangeable except as set forth in the Ordinance.****

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of acquiring, constructing, improving and equipping park and recreation projects in the City, under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter") pursuant to Nevada Revised Statutes ("NRS") §§ 268.672 to 268.740, inclusive (the "City Bond Law"), pursuant to NRS §§ 350.085 to 350.095, inclusive (the "Act"), pursuant to NRS §§ 350.500 through 350.720, and all laws amendatory thereof, designated in § 350.500 thereof as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to § 350.628 of the Bond Act, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to § 350.710 of the Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

The Bonds, as to all Bond Requirements, shall be payable from any moneys of the City legally available for the purpose of making such payment and the full faith and credit of the City are hereby irrevocably pledged for making such payment. Provision for the payment of the Bonds shall be made as provided in §§ 350.093 and 350.095 of the Act, provided, however, that ad valorem taxes levied for the purpose of paying the principal of and interest on the Bonds are subject to the limitations contained in the Constitution and the statutes of the State, including, without limitation, the limitations on ad valorem taxes contained in NRS §§ 354.59811, 354.5913, 354.59815, 354.5982 and 361.453. The City is not authorized to levy ad valorem taxes to pay the principal of or interest on the Bonds exempt from the limitations of any such statutes, but the City has covenanted in the Ordinance to make sufficient provision annually in its budget to pay the Bond Requirements of the Bonds, when due.

The City covenants and agrees with the owner of this Bond and with each and every person who may become the owner hereof that it will keep and will perform all of the covenants of the Ordinance.

(Form of Registrar's Certificate of Authentication for Bonds)

Date of authentication
and registration _____

This is one of the Bonds described in the within-mentioned Ordinance, and this Bond has been duly registered on the registration records kept by the undersigned as Registrar for such Bonds.

CITY OF LAS VEGAS TREASURER
as Registrar

By _____ Manual Signature
Authorized Officer or Employee

(End of Form of Registrar's Certificate of Authentication for Bonds)

[STATEMENT OF INSURANCE]
add statement of insurance, if applicable

(Form of Assignment for Bonds)

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and hereby irrevocably constitutes and appoints _____ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

Name of Transferee:

Address of Transferee:

Social Security or other tax
identification number of
Transferee:

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

NOTICE: TRANSFER FEES MUST BE PAID TO THE REGISTRAR IN ORDER TO TRANSFER OR EXCHANGE THIS BOND AS PROVIDED IN THE WITHIN-MENTIONED ORDINANCE.

(End of Form of Assignment for Bonds)

SECTION 25. Use of Bond Proceeds. Upon the issuance of the Bonds, the Treasurer shall cause the proceeds of the Bonds to be applied as follows:

A. First, pursuant to § 350.648, Bond Act, the proceeds received from the sale of the Bonds as accrued interest on the Bonds, if not needed to defray the cost of the Project, shall be deposited into the Medium-Term Debt Service Fund, hereinafter created.

B. Except as provided in the following subsection C, the balance of the proceeds received from the sale of the Bonds shall be deposited into a special account hereby created and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999, Construction Account" (the "Construction Account") to be held by the City. Moneys in the Construction Account shall be used solely to defray wholly or in part the cost of the Project including, without limitation, as provided in § 350.516, Bond Act, all costs of issuing the Bonds, and the costs of rebates to the United States under § 148 of the Internal Revenue Code of 1986, as amended (the "Tax Code"), which the Council hereby determines are necessary and desirable and pertain to the Project. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, pursuant to § 350.650 Bond Act, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Construction Account shall be deposited into the Medium-Term Debt Service Fund hereinafter created to be used to pay the principal of and interest on the Bonds.

C. Pursuant to NRS § 354.6105, the City shall deposit an amount equal to one-half of one percent of the aggregate principal amount of the Bonds into one or more separate accounts in the fund for the extraordinary maintenance, repair or improvement of capital projects. Available moneys of the City or Bond proceeds shall be used for such purpose.

SECTION 26. Use of Investment Gain. Pursuant to § 350.658, any gain from any investment and any reinvestment of any proceeds of the Bonds, if needed to defray the cost

of the Project, shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Construction Account, and if not needed to defray the cost of the Project, shall be deposited promptly into the Medium-Term Debt Service Fund, hereinafter created, for the respective payment of the principal of or interest on the Bonds or any combination thereof. As provided in § 35 hereof, any annual General Taxes for the payment of the principal of or interest on the Bonds levied after such deposits of any such investment or reinvestment gain, may be diminished to the extent of the availability of such deposit for the payment of such principal or interest.

SECTION 27. **Completion of Project.** The City, with the proceeds derived from the sale of the Bonds, shall proceed to complete the Project without delay and with due diligence to the best of the City's ability, as hereinabove provided.

SECTION 28. **Prevention of Bond Default.** Subject to the provisions of §§ 31 and 35 hereof, the Treasurer shall use any Bond proceeds credited to the Construction Account, without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys otherwise available therefor are insufficient for that purpose, unless such Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The Treasurer shall promptly notify the Council of any such use.

SECTION 29. **Purchaser Not Responsible.** The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the Project, or any part thereof, or to the completion of the Project. The Purchaser, any associate thereof, and any subsequent owner of any Bond shall in no manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys herein designated.

SECTION 30. **General Tax Levies.** Pursuant to § 350.596, Bond Act, any sums coming due on the Bonds at any time when there are not on hand in the Medium-Term Debt Service Fund sufficient funds to pay same shall be promptly paid when due out of the Construction Account or out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of General Taxes legally

available therefor. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there is hereby created a separate account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999, Medium-Term Debt Service Fund" (the "Medium-Term Debt Service Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, and § 350.093 and 350.095 of the Act, except to the extent other funds are legally available therefor, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installment of interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay and retire the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to the Medium-Term Debt Service Fund for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS §§ 354.59811, 354.59813, 354.59815, 354.5982 and 361.453, and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all such revenues received by the City.

SECTION 31. **Priorities for Bonds.** In any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City exceeds the limitation imposed by NRS § 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for

purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitations of NRS §§ 361.453, 354.59811, 354.59813 and 354.5982.

SECTION 32. **Correlation of Levies.** Such General Taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Medium-Term Debt Service Fund, which accounts shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

SECTION 33. **Use of General Fund.** Any sums becoming due on the Bonds at any time when there are on hand from such General Taxes (and any other legally available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the General Taxes herein provided for have been collected, pursuant to § 350.596, Bond Act.

SECTION 34. **Use of Other Funds.** Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, mature, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to § 350.598, Bond Act.

SECTION 35. **Legislative Duties.** In accordance with § 350.592, Bond Act, it shall be the duty of the Council annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the Council shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and the interest thereon. Such General Taxes, when collected shall be kept for and applied only to the payment of the principal

of and the interest on the Bonds as hereinbefore specified.

SECTION 36. **Appropriation of General Taxes.** In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements the Bonds have been wholly paid or provided for.

SECTION 37. **Protective Covenants.** The City covenants and agrees with each and every owner from time to time of the Bonds, that:

- A. The Project shall be completed without delay; and
- B. The City will make the principal and interest payments on the Bonds at the place, on the date, and in the manner specified according to the true intent and meaning hereof.

SECTION 38. **Tax Covenant.** The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under § 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in § 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under § 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

SECTION 39. **Defeasance.** When all Bond Requirements of any Bond has been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to that Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including

the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

SECTION 40. **Continuing Disclosure Undertaking.** The City covenants for the benefit of the holders and beneficial owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate in substantially the form now on file with the Clerk and is hereby authorized to be executed by the Treasurer and delivered in connection with the delivery of the Bonds.

SECTION 41. **Replacement of Registrar or Paying Agent.** If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, the Council may, upon notice mailed to each owner of any Bond at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent.

SECTION 42. **Delegated Powers.** The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. The printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia,

(1) the signing of the Bonds and the Depository Trust Company Letter of Representations,

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

(3) the assessed valuation of the taxable property in and the indebtedness of the City,

(4) the rate of General Taxes levied against taxable property in the City,

(5) the exclusion from gross income for federal income tax purposes of interest on the Bonds,

(6) the delivery of the Bonds and the receipt of the Bond purchase price,

(7) the accuracy and completeness of any information provided in connection with the Bonds, including information contained in the preliminary and final official statements for the Bonds,

(8) if it is in accordance with the fact, the absence of litigation, pending or threatened, affecting the validity of the Bonds; and

C. The assembly and dissemination of financial and other information concerning the City and the Bonds.

SECTION 43. **Ordinance Irrepealable.** After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and

discharged, as herein provided.

SECTION 44. **Implied Repealer.** All ordinances, resolution bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolutions, bylaw or order, or part hereof, heretofore repealed.

SECTION 45. **Publication of Proposed Ordinance.** 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 City Clerk for public examination and distribution upon request. Notice of the deposit must be published once in a newspaper printed and published 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 Notice of Deposit of an Ordinance)

BILL NO. _____

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on August 4, 1999, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on August 18, 1999.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form for Publication)

Section 46. **Effective Date.** This Ordinance shall be in effect on the day after its publication as hereinafter provided, and after this Ordinance is signed by the Mayor and attested by the Clerk, this Ordinance shall be published by title only, together with the names of the council members voting for or against its passage, such publication to be made in the Las Vegas Review Journal, a newspaper printed, published and of general circulation in the City, pursuant to the provisions of Section 2.110 of the Charter, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

BILL NO. __

ORDINANCE NO. __

(of the City of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on August 4, 1999, and was passed and adopted at a meeting held on August 18, 1999, by the following vote of the City Council:

Those Voting Aye:

Oscar Goodman
Michael J. McDonald
Gary Reese
Larry Brown
Lynette Boggs-McDonald

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the ____ day of August, 1999, i.e., the day after the publication of such Ordinance by its 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 August 18, 1999.

Attest:

/s/ Oscar Goodman
Mayor

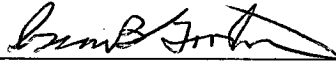
/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

SECTION 47. Severability. If any section, paragraph, clause or 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 provision shall not affect any of the remaining provisions of this Ordinance.

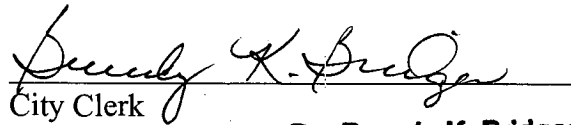
Adopted August 18, 1999.

(SEAL)



Mayor

Attest:


City Clerk

By: Beverly K. Bridges
Chief Deputy City Clerk

CHIEF DEPUTY CHIEF OF POLICE
BY: BRUCE A. BURGESS

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

I, Barbara Jo Ronemus, 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, complete and compared copy of an ordinance which was introduced at the meeting of the Council on August 4, 1999 and finally adopted and approved on August 18, 1999.

2. The following members of the Council were present at the August 4, 1999 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Michael J. McDonald
	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald

Those Excused:

3. The foregoing Ordinance was first proposed and read by title to the City Council on August 4, 1999, and referred to a committee composed of Councilmen Brown and M. McDonald for recommendation; thereafter the said committee reported favorably on said Ordinance on August 18, 1999, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the August 18, 1999 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald
Those Voting Nay:	NONE
Those Excused:	Michael J. McDonald

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on August 4, 1999 and August 18, 1999. Pursuant to § 241.020, Nevada Revised Statutes, 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, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) City Hall
Las Vegas, Nevada
- (ii) Senior Citizens Center
Las Vegas, Nevada
- (iii) Clark County Government Center
Las Vegas, Nevada
- (iv) Downtown Transportation Center
Las Vegas, Nevada

and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

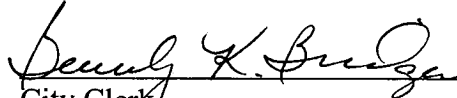
6. A copy of such notice so given of the meeting of the Council on August 4, 1999 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on August 18, 1999 is attached to this certificate as Exhibit B.

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 August 18, 1999.

(SEAL)



City Clerk

By: Beverly K. Bridges
Chief Deputy City Clerk

By: Beverly K. Bridges
Chief Deputy City Clerk

EXHIBIT A

(Attach Copy of Notice of August 4, 1999 Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR • COUNCILMEMBERS: MICHAEL J. McDONALD, GARY REESE, LARRY BROWN, LYNETTE B. McDONALD

Facilities are provided throughout City Hall for the 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.

NOTE

EFFECTIVE AUGUST 4, 1999, THE LAS VEGAS CITY COUNCIL MEETINGS HAVE BEEN RESCHEDULED TO THE FIRST AND THIRD WEDNESDAY OF EACH MONTH, THE MORNING SESSION OF EACH MEETING WILL START AT 9:00 AM AND THE AFTERNOON SESSION OF EACH MEETING WILL START AT 1:00 PM

AUGUST 4, 1999

**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 VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THE U.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND MONDAY AT 9:30 AM

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$10.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND JOEL RIVERS, CHRISTIAN CHURCH
- PLEDGE OF ALLEGIANCE
- SPECIAL PRESENTATION TO FRED LESSMAN BY SHERIFF JERRY KELLER FOR HIS RECOGNITION OF METRO'S FALLEN OFFICERS
- RECOGNITION OF THE "CITIZEN OF THE MONTH"

II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of July 12, 1999

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

CITY ATTORNEY - CONSENT

3. Approval of Clark County Regional Transportation Third Supplemental Interlocal Contract No. 250c for the design and construction of roadway improvements for Alta Drive - Rancho Drive to Union Pacific Railroad (UPRR) Property
4. Approval of Clark County Regional Transportation Interlocal Contract No. 323 for the construction of roadway improvements for the Las Vegas Beltway at U.S. 95
5. Approval of Clark County Regional Transportation Interlocal Contract No. 324 for the construction of roadway improvements for U.S. 95 and Northern Beltway Interchange Frontage Roads

CITY CLERK - CONSENT

6. Report of Declarations of Interest in property located in the existing Redevelopment Areas

DEPARTMENT OF DETENTION & ENFORCEMENT - CONSENT

7. Approval of an amendment to the contract with Marquis Systems to increase fees for specific revisions in the engineering services to provide the design and contract documents for the Detention Control System Upgrade Project.

DEPARTMENT OF FINANCE & BUSINESS SERVICES - CONSENT

8. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

LIQUOR - New

9. Approval of new Supper Club Liquor License, P.F. Chang's China Bistro, Inc., a publicly traded corporation, dba P.F. Chang's China Bistro, 1095 South Rampart Boulevard, Richard L. Federico, Dir, CEO, Pres, 4.5%, Robert T. Vivian, CFO, Secy, 1.1%, Paul M. Fleming, Dir, The Paul and Kelly Fleming Family Trust, 18.1%, Paul M. Fleming, Trustor, Trustee, Kelly C. Fleming, Trustor, Trustee
10. Approval of new Beer/Wine/Cooler Off-Sale Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Terrible Herbst, Inc., dba Terrible's #217, 7171 West Ann Road, Jerry E. Herbst, Dir, Pres, 100%, Maryanna Herbst, Dir, Secy, Treas, Edward J. Herbst, Dir, VP, Timothy P. Herbst, Dir, VP, Troy D. Herbst, Dir, VP, Michael J. Roop, Dir, VP

LIQUOR - Approval of Officer

11. Approval of Officer for Tavern Liquor License, Paragon of Nevada, Inc., dba Hungry Hunter, 2380 South Rainbow Boulevard, Richard S. Kay, Dir, Pres, Asst. Secy

LIQUOR - Approval of General Manager

12. Approval of General Manager for Tavern Liquor License, Paragon of Nevada, Inc., dba Hungry Hunter, 2380 South Rainbow Boulevard, Michael B. Kobunski, General Mgr

LIQUOR - Change of Ownership

GAMING - New

13. Approval of change of ownership for Tavern Liquor License and new Nonrestricted Gaming License subject to the provisions of the Health Department regulations, From: Alstate Enterprises, Inc., Melvin B. Wolzinger, Pres, Ruth A. Wolzinger, Dir, Secy, Treas, The Wolzinger Family Trust, 100%, Melvin B. Wolzinger, Trustee, Ruth A. Wolzinger, Trustee, To: Bauchman Gaming Ventures, LLC, dba Ernie's Casino, 1901 North Rancho Drive, John W. Bauchman, Member, Mgr, 50%, Scott M. Nielson, Member, Mgr, 25%, James P. Bauchman, Member, Mgr, 25%, Approved by the Nevada Gaming Commission on July 29, 1999

14. Approval of change of ownership for Tavern Liquor License and new Nonrestricted Limited Gaming License for 35 slots subject to the provisions of the Health Department regulations, From: Port Tack, Inc., Robert Kostecky, Dir, Pres, Secy, Treas, William Kostecky, Dir, To: Caribbean Cabana LLC, dba Caribbean Cabana, 3190 West Sahara Avenue; TLC Gaming Inc., Managing Member, 50%, Terry L. Caudill, Dir, Pres, Secy, Treas, 95%, Timothy G. Lager, 5%, Port Tack, Inc., Member, 50%, Robert Kostecky, Dir, Pres, Secy, Treas, 73.9131%, Kostecky Family Trust, 23.9130%, William L. Kostecky, Co-Trustee, Beatrice B. Kostecky, Co-Trustee, Thomas W. Wiechman, 2.1739%, William L. Kostecky, Dir, Beatrice B. Kostecky, Dir, Thomas W. Wiechman, Games Mgr, Approved by the Nevada Gaming Commission on July 29, 1999

LIQUOR & GAMING - Approval of Officer/Stockholder

15. Approval of Officer/Stockholder for Tavern Liquor License and Restricted Gaming License for 13 slots, Marlan, Inc., dba Shifty's Cocktail Lounge, 3805 West Sahara Avenue, David L. Ramser, Dir, Secy, 50%, Approved by the Nevada Gaming Commission on July 29, 1999

GAMING - New

16. Approval of new Restricted Gaming License for 15 slots, Spinsig Operating Corporation, dba Best Western Main Street Inn, 1000 North Main Street, Joseph Signore, Jr., Dir, Pres, 50%, Carmine Spinelli, Dir, Secy, Treas, 25%, Michelle Spinelli, Dir, 25%, Approved by the Nevada Gaming Commission on July 29, 1999
17. Approval of new Restricted Gaming License for 4 slots, CStore #2, LLC, dba A J's Mini Mart, 400 North Eastern Avenue, Stephen E. Haberfeld, Mgr, Member, 50%, Sharon L. Haberfeld, Mgr, Member, 50%, Approved by the Nevada Gaming Commission on March 25, 1999
18. Approval of new Slot Operator Space Lease Location Restricted Gaming License for 10 slots, Cardivan Company, db at Rite Aid Drug Store #6272, 6100 West Vegas Drive, Approved by the Nevada Gaming Commission on July 29, 1999
19. Approval of new Slot Operator Space Lease Location Restricted Gaming License for 7 slots, E-T-T, Inc., db at Terrible's #217, 7171 West Ann Road, Approved by the Nevada Gaming Commission on June 24, 1999

GAMING - Approval of Franchise Manager

20. Approval of Franchise Manager for Restricted Gaming License for 4 slots, United Coin Machine Company, db at 7-Eleven Food Store #13698, 431 South Rue 13, Fred A. Sawyer, Franchise Mgr, Approved by the Nevada Gaming Commission on July 29, 1999

INDEPENDENT MESSAGE THERAPISTS - New

21. Approval of new Independent Massage Therapist License, Catherine L. Denning, dba Cathy Denning, 2109 South 17th Street, Catherine L. Denning, 100%
22. Approval of new Independent Massage Therapist License, Maria Ann Newman, dba Maria Ann Newman, 1700 Joshua Tree Court, Maria A. Newman, 100%
23. Approval of new Independent Massage Therapist License, Mona Orkoulas, dba Orkoulas Holistic Massage, 7269 Abbeyville Drive, Mona Orkoulas, 100%
24. Approval of new Independent Massage Therapist License, Jonna L. Williams, dba Jonna L. Williams, 2100 South Maryland Parkway, Suite 7A, Jonna L. Williams, 100%

LOCKSMITH LICENSE - New

25. Approval of new Locksmith License, Andrew M. Vallejos, dba Central Security Lock & Key, 3100 East Charleston Boulevard #119, Andrew M. Vallejos, 100%

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

26. Approval of award of bid number 99.1739.13, detention facility visitation addition; and approve the construction and contingency account - Department of Detention and Enforcement - Award recommended to: M & H BUILDING SPECIALTIES, INC. (\$392,735)
27. Approval of award of bid number 990092, purchase of Motorola radios - Department of Information Technology - Award recommended to: SJM INDUSTRIAL RADIO (\$45,636)
28. Approval of the rejection of bid and award of bid number 990091, annual requirements contract for radio supplies - Department of Information Technology - Award recommended to: COMSOURCE (estimated annual amount of \$35,000)

PURCHASE ORDER APPROVALS/REVISIONS

29. Approval of a purchase order for freight cost of a used Grass Valley 2200 video switcher - Public Information Office - Award recommended to: MAYFLOWER TRANSIT (\$1,265)

APPROVAL OF AGREEMENTS/AUTHORIZATIONS

30. Approval of a professional services, software license, software maintenance and escrow agreements for the installation and implementation of procurement card system software - Department of Finance and Business Services and Information Technologies - Award recommended to: CREDIT CARD SOLUTIONS, INC. (\$50,000)

DEPARTMENT OF FIRE AND RESCUE - CONSENT

31. Approval for Assessment Management Group, Inc. (AMG) to provide billing/collection services as related to the new Fire Permit Fees Program

DEPARTMENT OF HUMAN RESOURCES - CONSENT

32. Report of new hires - June 21 - July 5, 1999: Executive Assistant (2), Office of Mayor; Management Analyst I, Neighborhood Services

NEIGHBORHOOD SERVICES - CONSENT

33. Approval of an Interlocal Agreement with the City of Henderson for the funding of \$5,000 to assist the City with funding a homeless demographic study being conducted by the University of Nevada, Las Vegas

DEPARTMENT OF PUBLIC WORKS - CONSENT

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

34. From: NASUE TRUST; To: City of Las Vegas; For: Portions of the Southeast Quarter (SE ¼) of Section 29, T20S, R61E, M.D.M., for dedication of radii located Ernest May Lane and Rancho Drive and Ernest May Lane and Blears Street (6-30-99) 139-29-701-003
35. From: SUMMERLIN NORTH COMMUNITY ASSOCIATION, A NEVADA NON-PROFIT CORPORATION; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW ¼) of Section 26, T20S, R59E, M.D.M., for additional Rights-of-Way on Sageberry Drive located east of the Far Hills Avenue (7-12-99) 137-26-797-002

QUITCLAIM DEEDS

36. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION; To: State of Nevada - Department of Transportation; For: Portion of the Northeast Quarter (NE ¼) of Section 04, T21S, R61E, M.D.M., transferring Rights-of-Way on Western Avenue, north of Wall Street (E.A. 72281) 162-04-599-002
37. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION; To: State of Nevada - Department of Transportation; For: Portion of the Northeast Quarter (NE ¼) of Section 04, T21S, R61E, M.D.M., transferring Rights-of-Way located on Western Avenue, north of Wall Street (E.A. 72281) 162-04-502-001
38. From: STATE OF NEVADA - DEPARTMENT OF TRANSPORTATION; To: City of Las Vegas, a Municipal Corporation; For: Portion of the Southwest Quarter (SW ¼) of Section 30, T20S, R61E, M.D.M., for Drainage Purposes located on the south side of Bonanza Road, west of Valley View Drive (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990305 as Instrument No. 00858) (E.A. 72056) 139-30-801-001

RIGHT OF WAY GRANT FOR SEWER PURPOSES

39. From: JACKY D. HOLT, JR., D.V.M. AND VALARIE HOLT, D.V.M., AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a sewer easement located on Bonanza Road, west of Lillian Street (6-25-99) 140-29-801-008
40. From: J. STEPHEN SILL AND SHIRLENE SILL, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a sewer easement located on Bonanza Road, west of Lillian Street; (6-28-99) 140-29-801-007;

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

41. From: J. STEPHEN SILL AND SHIRLENE SILL, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for an ingress and egress easement located on Bonanza Road, west of Lillian Street (6-28-99) 140-29-801-007

42. From: JOE AND ANN L. PITTMAN LIVING TRUST; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW ¼) of Section 36, T20S, R61E, M.D.M., for ingress and egress easements located on the southeast corner of Cedar Avenue and Eastern Avenue (7-14-99) 139-36-210-014

RIGHT OF WAY GRANT FOR SIGHT VISIBILITY RESTRICTION PURPOSES

43. From: J. STEPHEN SILL AND SHIRLENE SILL, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a sight visibility restriction easement located on Bonanza Road, west of Lillian Street (6-28-99) 140-29-801-007
44. From: JOE AND ANN L. PITTMAN LIVING TRUST; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW ¼) of Section 36, T20S, R61E, M.D.M., for sight visibility restriction easements located on the southeast corner of Cedar Avenue and Eastern Avenue (7-14-99) 139-36-210-014

RIGHT OF WAY GRANT FOR PEDESTRIAN ACCESS PURPOSES

45. From: J. STEPHEN SILL AND SHIRLENE SILL, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a pedestrian access easement located on Bonanza Road, west of Nellis Boulevard (6-28-99) 140-29-801-007
46. From: J. STEPHEN SILL AND SHIRLENE SILL; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a pedestrian access easement located on Bonanza Road, west of Nellis Boulevard (6-28-99) 140-29-801-007

RIGHT OF WAY GRANT FOR BUS STOP PADS

47. From: J. STEPHEN SILL AND SHIRLENE SILL; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 29, T20S, R62E, M.D.M., for a bus stop pad easement located on Bonanza Road, west of Nellis Boulevard (6-28-99) 140-29-801-007

GRANT OF EASEMENT

48. From: LAWRENCE E. GIRARD, AN UNMARRIED MAN; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW ¼) of Section 28, T20S, R61E, M.D.M., for Bonanza Village Security Wall bounded by Vegas Drive, Martin L. King Boulevard, Washington Avenue and Tonopah Drive (7-6-99) 139-28-210-017

REPORT/ACTION ITEMS

49. Approval of a professional services agreement with G.C. Wallace, Inc. for the design of the Gowan south detention basin expansion project
50. Approval of an interlocal agreement #105909 with the Las Vegas Valley Water District for new water service installation for Lubertha Johnson Park
51. Approval of a professional services agreement with Project Engineering Consultants, Ltd. For the design of drainage improvements on Peak Drive - Torrey Pines Drive to Jones Boulevard
52. Approval of a professional services agreement with Carter and Burgess, Inc. for the design of Durango Drive from Desert Inn Road to Sahara Avenue

IV. RESOLUTIONS - CONSENT

53. **R-78-99** - Approval of a Resolution Confirming Final Assessment Roll and Overruling Complaints, Protests and Objections re: Special Improvement District No. 1465 (Mojave Road)

***** **END OF CONSENT AGENDA** *****

DISCUSSION / ACTION ITEMS

CITY ATTORNEY - DISCUSSION

54. Appeal of Work Card Denial: Ms. Mary Marie Culverson, 425 Delmue Circle, Las Vegas, Nevada 89101
55. Appeal of Work Card Denial: Ms. Kimberly Terea Howard, 1225 Hassell Avenue, Las Vegas, Nevada 89106
56. Appeal of Work Card Denial: Ms. Lashonda Marie Fowler, 925 Sierra Vista, #306, Las Vegas, Nevada 89109
57. Appeal of Work Card Denial: Mr. Barry D. Davis, 2416 Lexington Street, North Las Vegas, Nevada 89030

- 58. Discussion and possible action to approve the City Attorney's subgrant from the Violence Against Women Act (VAWA) of 1994.

DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION

ABEYANCE ITEM

LIQUOR - Six-Month Review

- 59. Discussion and possible action regarding a six-month review of a Tavern Liquor License, William Keneman, dba Forbidden Clubs Bikini Bar, 3000 Meade Avenue, William M. Keneman, 100%

LIQUOR - New/Request For Temporary License

- 60. Discussion and possible action regarding a request for temporary approval of a new Tavern Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Gourmet Cigars, Ltd., dba Gustav Mauler Gourmet Tobacconist, 221 North Rampart Boulevard, Suite 7126, Ronald W. Wood, Dir, Pres, 33 1/3%, Gustav E. Mauler, Secy, and Denise M. Mauler, Dir, 33 1/3% jointly as husband and wife, Paul C. Steelman, Dir, Treas, and Maryann T. Steelman, 33 1/3% jointly as husband and wife
- 61. Discussion and possible action regarding a request for temporary approval of a new Supper Club Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Gustav International Chartered, dba Spiedini Ristorante, 221 North Rampart Boulevard, Suite 7136, Gustav E. Mauler, Dir, Pres, and Denise M. Mauler, 50% jointly as husband and wife, Paul C. Steelman, Dir, Treas, and Maryann T. Steelman, Dir, Secy, 50% jointly as husband and wife

DEPARTMENT OF PUBLIC WORKS - DISCUSSION

TRAFFIC & PARKING ITEM

- 62. Discussion and possible approval of a request to install speed humps on Mulcahy Avenue between Moose Lane and Roland Wiley Road

IV. RESOLUTIONS - DISCUSSION

- 63. **R-79-99** - Discussion and Possible Action to Approve a Resolution Establishing a Policy Regarding the Type of Disclosure to Be Required of Persons Entering into Certain Contracts or Other Transactions with the City

V. REPORTS FROM RECOMMENDING COMMITTEES

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

- 64. **Bill No. 99-36** -- Readopts LVMC 10.02.010 to make State misdemeanors likewise City misdemeanors, Proposed By: City Attorney
- 65. **Bill No. 99-37** -- Amends the Zoning Code to specifically authorize the City Council to take final action on site development plans, and to require final action by the Council concerning variance approvals. Sponsored by: Councilman Michael McDonald
- 66. **Bill No. 99-19** -- Creates District re: Special Improvement District No. 1470 - Buffalo (Cheyenne Avenue to Lone Mountain Road) and Craig Road US-95 to Buffalo Drive). Sponsored by: Step Requirement

VI. REPORTS FROM REAL ESTATE COMMITTEE

- 67. Discussion and possible action to approve relinquishment of Bureau of Land Management land, identified as the Metro Driver's Training Center, in the vicinity of Carey and Los Feliz, at the request of the Bureau of Land Management
- 68. Discussion and possible action to approve Community Development Programs Center of Nevada (CDPC) as the developer for Phase I of the Vegas Heights Single Family Home Construction Project and expenditure of federal HOME funds in the amount of \$458,700
- 69. Discussion and possible action to approve an Agreement for the Purchase and Sale of 1400 Lawry to Community Development Center of Nevada
- 70. Discussion and possible action to approve an Agreement for the Purchase and Sale of 1448 Lawry to Community Development Center of Nevada
- 71. Discussion and possible action to approve an Agreement for the Purchase and Sale of 1261 Balzar to Community Development Center of Nevada
- 72. Discussion and possible action to approve an Agreement for the Purchase and Sale of 1271 Balzar to Community Development Center of Nevada

- 73. Discussion and possible action to approve a Second Amendment to the Operation Agreement of Las Vegas Village, commonly known as the MASH Shelter
- 74. Discussion and possible action to approve a Land Use Agreement on land leased from the Bureau of Land Management, with Rank Brewing, LLC
- 75. Discussion and possible action to approve authorization for staff to send a letter of relinquishment for a lease application currently on file for City of Las Vegas for approximately 37.5 acres of Bureau of Land Management land south of Lone Mountain, between Riley and Durango, in favor of Clark County for future construction of a park
- 76. Discussion and possible action to approve staff to draft an amendment to a lease application between the City of Las Vegas and the Bureau of Land Management for approximately 2.5 acres of land located at the intersection of Durango and Red Coach Way for future construction of a fire station

VII. BOARDS & COMMISSIONS

- 77. **NEIGHBORHOOD PARTNERS FUND BOARD** - Appointment of nine members to include the Mayor or designee, a Council Liaison or staff designee of the Councilman for each of the four Council Wards and one Neighborhood Representative for each of the four Council Wards

VIII. NEW BILLS

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.

- 78. **Bill No. 99-39** – Levies Assessment re: Special Improvement District No. 1465 (Mojave Road) Sponsored by: Step Requirement
- 79. **Bill No. 99-41** - Authorizes the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999 and providing other matters relating thereto.

1:00 P.M. – AFTERNOON SESSION

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

IX. PUBLIC HEARING

- 81. Public Hearing on proposed project and assessments within the proposed City of Las Vegas, Nevada Special Improvement District No. 1472 - Durango Drive (Lone Mountain Road to Tropical Parkway)
- 82. Public hearing on the intent of the City Council of the City of Las Vegas, Nevada, to issue General Obligation (Limited Tax) Parking Bonds

PLANNING AND DEVELOPMENT DEPARTMENT

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.

DISCUSSION/ACTION ITEMS

SUMMERLIN CERTIFICATE OF DEVIATION

- 83. **SCD-4-99 - CLARK COUNTY SCHOOL DISTRICT** - Appeal of a Summerlin Certificate of Deviation on property located on Pavilion Center Drive, approximately 880 feet south of Sageberry Drive TO ALLOW 120 PROPOSED PARKING SPACES WHERE 224 PARKING SPACES ARE REQUIRED; AND TO ALLOW 5 HANDICAP PARKING SPACES WHERE 7 ARE REQUIRED IN CONJUNCTION WITH A PROPOSED MIDDLE SCHOOL, P-C (Planned Community) Zone, Ward 2 (L. McDonald), APN: 137-26-801-001. The Board of Zoning Adjustment (4-0 vote) and staff recommend APPROVAL.

VARIANCE - PUBLIC HEARING

- 84. **V-34-99 - ALLSTATE ENTERPRISES, INC.** - Request for a Variance on property located at 1901 North Rancho Drive TO ALLOW THE REPLACEMENT OF AN EXISTING, 7,100 SQUARE FOOT, NON-CONFORMING USE (ERNIE'S CASINO AND TAVERN) WITH A PROPOSED 14,923 SQUARE FOOT, NON-CONFORMING USE (ERNIE'S CASINO AND TAVERN), AND TO TEMPORARILY ALLOW 122 PROPOSED PARKING SPACES WHERE 162 ARE THE MINIMUM REQUIRED, C-2 (General Commercial) Zone, Ward 4 (Brown), APN: 139-19-703-032. Staff recommends DENIAL. The Board of Zoning Adjustment (4-0 vote) recommends APPROVAL.

SPECIAL USE PERMIT RELATED TO V-34-99 - PUBLIC HEARING

85. U-49-99 - ALLSTATE ENTERPRISES, INC. - Request for a Special Use Permit on property located at 1901 North Rancho Drive FOR A NON-CONFORMING 14,900 SQUARE FOOT CASINO/ MICROBREWERY, C-2 (General Commercial) Zone, Ward 4 (Brown), APN: 139-19-703-032. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

VARIANCES - PUBLIC HEARING

86. V-48-99 - RIGOBERTO AND AIDENIS R. FAJARDO - Request for a Variance on property located at 4877 East Monroe Avenue TO ALLOW AN EXISTING ATTACHED CARPORT AND PATIO ENCLOSURE 2.5 FEET FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH AN EXISTING SINGLE-FAMILY DWELLING, R-1 (Single Family Residential) Zone, Ward 3 (Reese), APN: 140-29-611-043. Staff recommends DENIAL. The Board of Zoning Adjustment (4-0 vote) recommends APPROVAL.
87. V-49-99 - SYSTEM CAPITAL REAL PROPERTY CORPORATION ON BEHALF OF TERRIBLE HERBST OIL COMPANY - Appeal filed by the Ann Road Neighborhood Coalition from the Approval by the Board of Zoning Adjustment of a request for a Variance by System Capital Real Property Corporation on behalf of Terrible Herbst Oil Company on property located at 7171 Ann Road TO ALLOW A PROPOSED 100 FOOT HIGH FLAG POLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED IN CONJUNCTION WITH AN APPROVED AND PARTIALLY CONSTRUCTED PROPOSED CONVENIENCE STORE/GAS STATION, U (Undeveloped) Zone [ML (Medium- Low Density Residential) General Plan Designation] under resolution of intent to PD (Planned Development)], Ward 4 (Brown), APN: 125-34-502-001. Staff recommends DENIAL. The Board of Zoning Adjustment (3-1 vote) recommends APPROVAL.
88. V-52-99 - CAMP BOB, LIMITED LIABILITY COMPANY - Review by Council from the Approval by the Board of Zoning Adjustment of a request for a Variance on property located at 2929 and 2939 Alta Drive TO ALLOW SEVEN EXISTING KITCHENS WHERE ONE KITCHEN IS ALLOWED IN CONJUNCTION WITH THE PROPOSED LINKING OF TWO EXISTING SINGLE-FAMILY DWELLINGS, R-A (Ranch Acres) Zone, Ward 1 (McDonald), APN: 139-32-304-005 and 006. The Board of Zoning Adjustment (4-0 vote) and staff recommends APPROVAL.
89. V-54-99 - JACK AND AMARILIS RUGGLES ON BEHALF OF RANDALL J. ROSKE - Request for a Variance on property located at 511 South Tonopah Drive TO ALLOW FOUR PROPOSED PARKING SPACES WHERE SEVEN ARE THE MINIMUM REQUIRED AND TO PROVIDE ZERO VAN-ACCESSIBLE HANDICAP SPACES WHERE ONE IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED SINGLE-FAMILY DWELLING CONVERSION TO AN OFFICE, PD (Planned Development) Zone, Ward 1 (McDonald), APN: 139-33-301-010. Staff recommends DENIAL. The Board of Zoning Adjustment (4-0 vote) recommends APPROVAL.
90. V-55-99 - CARMELLA MAURO - Request for a Variance on property located at 4109 West Sahara Avenue TO ALLOW A PROPOSED ADDITION TO AN EXISTING RETAIL BUILDING 4.5 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS REQUIRED; 13 PARKING SPACES WHERE 18 ARE THE MINIMUM REQUIRED; AND TO ALLOW THE EXPANSION OF A NON-CONFORMING BUILDING, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-07-511-006. Staff recommends DENIAL. The Board of Zoning Adjustment (3-1 vote) recommends APPROVAL.
91. V-56-99 - ALFREDO AND ELVIA MARTINEZ - Appeal filed by Kummer Kaempfer Bonner & Renshaw on behalf of Alfredo and Elvia Martinez from the Denial by the Board of Zoning Adjustment of a request for a Variance on property located approximately 229 feet west of Tenaya Way north of Cheyenne Road TO ALLOW THE ON-SITE RELOCATION OF AN EXISTING 14 FOOT X 48 FOOT OFF-PREMISE SIGN (BILLBOARD) 24 FEET TO THE NORTH, LOCATED IN THE OFF-PREMISE SIGN (BILLBOARD) EXCLUSIONARY ZONE, C-1 (Limited Commercial) Zone, Ward 4 (Brown), APN: 138-10-411-002. The Board of Zoning Adjustment (3-1 vote) and staff recommend DENIAL.
92. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

X. ADDENDUM

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT B

(Attach Copy of Notice of August 18, 1999 Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR • COUNCILMEMBERS: MICHAEL J. McDONALD, GARY REESE, LARRY BROWN, LYNETTE B. McDONALD

Facilities are provided throughout City Hall for the 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.

AUGUST 18, 1999

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 VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THEU.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND MONDAY AT 9:30 AM

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$10.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

I. CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND LARRY G. HANSMEIER, FIRST CHRISTIAN CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF DETENTION & ENFORCEMENT FOR RECEIVING THE TRIPLE CROWN AWARD FROM THE NATIONAL SHERIFFS ASSOCIATION
- RECOGNITION OF THE "EMPLOYEE OF THE MONTH" FOR AUGUST

II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of July 26, 1999

III. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND ARE RECOMMENDED FOR APPROVAL BY THE DEPARTMENTS. THEY MAY BE ENACTED IN ONE MOTION; HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COUNCIL MEMBER SO REQUESTS.

BUSINESS DEVELOPMENT - CONSENT

3. Approval of issuance to Lewex, Inc. certificate of completion and quitclaim of interest for certain real property situated in the Spectrum of Las Vegas
4. Discussion and action regarding Interlocal Cooperative Agreement for Coordination of Franchise Related Activities

CITY ATTORNEY - CONSENT

5. Approval of Clark County Regional Transportation Commission Supplemental Interlocal Contract No. 236b for the design and construction of Gowan Road between U.S. 95 and Decatur Boulevard
6. Approval of Clark County Regional Transportation Commission Second Supplemental Interlocal Contract No. 284b for the construction of roadway improvements for Gibson Road between I-515 and Boulder Highway
7. Approval of Clark County Regional Transportation Commission Interlocal Contract No. 326 – FY 1999-2000 Offsite Improvements Adjacent to Regional Flood Control District Detention Basins

DEPARTMENT OF DETENTION & ENFORCEMENT - CONSENT

8. Approval of the grant reimbursement to the City of Las Vegas by the Bureau of Justice Assistance (BJA) for the incarceration of criminal aliens under the FY98 State Criminal Alien Assistance Program (SCAAP) in the amount of \$121,647

DEPARTMENT OF FINANCE & BUSINESS SERVICES - CONSENT

9. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
10. **ABEYANCE ITEM** - Approval of new Beer/Wine/Cooler Off-Sale Liquor License subject to the provisions of the planning and fire codes and Health Department regulations, Terrible Herbst, Inc., dba Terrible's #217, 7171 West Ann Road, Jerry E. Herbst, Dir, Pres, 100%, Maryanna Herbst, Dir, Secy, Treas, Edward J. Herbst, Dir, VP, Timothy P. Herbst, Dir, VP, Troy D. Herbst, Dir, VP, Michael J. Roop, Dir, VP, Ward 4 (Brown) (Note: This item to be heard in conjunction with Afternoon Session Item Nos. 121 & 122)
11. **ABEYANCE ITEM** - Approval of new Slot Operator Space Lease Location Restricted Gaming License for 7 slots, E-T-T, Inc., dba at Terrible's #217, 7171 West Ann Road, Approved by the Nevada Gaming Commission on June 24, 1999, Ward 4 (Brown) (Note: This item to be heard in conjunction with Afternoon Session Item No. 121 & 122)

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on August 4, 1999)

FAMILY HOMES - New

12. Approval of new family home, Joan Reil, 213 Lightning Street, Ward 2 (L. B. McDonald)
13. Approval of new family home, Nikki Sachs, 4933 Deep Forest Drive, Ward 4 (Brown)

CHILD CARE CENTER - New

14. Approval of new child care center subject to the provisions of the planning and fire codes and Licensing and Health Department regulations, The Meadows School, 8601 Scholar Lane, Preschool Corporation Owner: William H. Richardson, Jr., Ward 2 (L. B. McDonald)

CHILD CARE CENTER - Change of Ownership/Change of Business Name

15. Approval of change of ownership/change of business name for child care center subject to the provisions of the planning and fire codes and Licensing and Health Department regulations, From: Rainbow Bridge, Center Nursery Owner: Dorothy and Ronald Couturier, To: Adventures In Learning, 3301 West Charleston Boulevard, Center/Nursery Owner: Troy D. Campa, Ward 1 (M. McDonald)

CHILD CARE CENTER - Change of Location/Change of Business Name/Change of Ownership/Pastor

16. Approval of change of location/change of business name/change of ownership/pastor (license holder) for child care center subject to the provisions of the planning and fire codes and Licensing and Health Department regulations, From: West Charleston Baptist Child Care Preschool, 6701 West Charleston Boulevard, To: West Cheyenne Baptist Child Care & Preschool, 9901 West Gowan, Center/Preschool, Pastor: Gary A. Bullard, Ward 4 (Brown)

LIQUOR - Approval of Officer

17. Approval of Officer for Tavern Liquor License, Paragon of Nevada, Inc., dba Hungry Hunter, 2380 South Rainbow Boulevard, Christopher W. Miles, Secy, Ward 1 (M. McDonald)

LIQUOR - Approval of Partner

18. Approval of Partner for Beer/Wine/Cooler Off-Sale Liquor License, Kings Market (A Partnership), dba King's Market, 2333 North Martin L. King Boulevard, Mohamed N. Obeid Al-Dhali, Partner, 50%, Ward 3 (Reese)

LIQUOR - Approval of Manager

19. Approval of Manager for Package Liquor License, Thrifty Payless, Inc., dba Rite Aid #6272, 6100 Vegas Drive, Robert B. Strop, District Mgr, Ward 4 (Brown)

LIQUOR & GAMING - Approval of Officer

20. Approval of Officer for Tavern Liquor License and Nonrestricted Gaming License, Stratosphere Gaming Corporation, dba Stratosphere Tower, Casino & Hotel, 2000 Las Vegas Boulevard South, Daniel A. Cassella, Pres, CEO, Approved by the Nevada Gaming Commission on May 27, 1999, Ward 1 (M. McDonald)
21. Approval of Officer for Tavern Liquor License and Nonrestricted Gaming License, Arizona Charlie's Inc., dba Arizona Charlie's Hotel & Casino, 740 South Decatur Boulevard, Daniel A. Cassella, EVP, Approved by the Nevada Gaming Commission on May 27, 1999, Ward 1 (M. McDonald)

INDEPENDENT MESSAGE THERAPISTS - New

22. Approval of new Independent Massage Therapist License, Bonnie Sloan, dba Bonnie Sloan, 6910 North Rainbow Boulevard, Bonnie C. Sloan, 100%, (County)
23. Approval of new Independent Massage Therapist License, Amy L. Hoover, dba Amy L. Hoover, 1701 Rock Springs Drive #1008, Amy L. Hoover, 100%, Ward 2 (L. B. McDonald)
24. Approval of new Independent Massage Therapist License, John Crocker, dba John Crocker, 4325 Roaming Breeze Road, John E. Crocker, 100%, (North Las Vegas)

INDEPENDENT MESSAGE THERAPIST - Change of Location

25. Approval of change of location for Independent Massage Therapist License, Maria T. Papsidero, dba Maria T. Papsidero, From: 9599 West Charleston Boulevard, #2185, To: 10175 West Spring Mountain Road #1116, Maria T. Papsidero, 100%, (County)

LOCKSMITH LICENSE - Change of Location

26. Approval of change of location for Locksmith License subject to the provisions of the fire codes, Lockmaster Security Services, Inc., dba Lockmaster Security Services, From: 4825 East Charleston Boulevard #2, To: 1435 North Jones Boulevard, Kelly M. Fuller, Dir, Pres, Treas, 51%, Michael J. Fuller, Dir, VP, Secy, 49%, Ward 1 (M. McDonald)

MARTIAL ARTS LICENSE - Change of Location

27. Approval of change of location for Martial Arts License subject to the provisions of the planning codes, Mark Lawrence, dba Mark Lawrence Karate, From: 3120 North Rainbow Boulevard, To: 601 South Rainbow Boulevard, Mark T. Lawrence, 100%, Ward 2 (L. B. McDonald)

MESSAGE ESTABLISHMENT LICENSE - New

28. Approval of new Massage Establishment License, Waysak, Inc., dba Destination Garden Salon Spa, 601 South Rainbow Boulevard, Gary S. Waysack, Dir, Pres, Secy, Treas, 100%, Ward 2 (L. B. McDonald)
29. Approval of new Massage Establishment License, Zarrintaj Bazrafshan-Haghighi, dba European Massage Therapy, 1717 South Decatur Boulevard, Booth E-40, Zarrintaj Bazrafshan-Haghighi, 100%, Ward 1 (M. McDonald)
30. Approval of new Massage Establishment License subject to the provisions of the fire codes, Harbor Lake Therapeutic Massage, Inc., dba Harbor Lake Therapeutic Massage, 8440 West Lake Mead Boulevard, Suite 110, Janice A. Mason, Dir, Pres, Secy, Treas, 100%, Ward 2 (L. B. McDonald)

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

31. Approval of bid number 99.53541.06, Contract 21 mechanical dewatering improvements at the Water Pollution Control Facility - Department of Public Works - Award recommended to: ELLSWORTH PECK CONSTRUCTION CO. (\$10,431,677)
32. Approval to award bid number 99.1739.15, Ansan Park Phase III; and approve the construction and contingency account - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORP. (\$434,960)
33. Approval to award bid number 99.1739.07, Lubertha Johnson Park renovation; and approve the construction and contingency account - Department of Public Works - Award recommended to: CEDCO, INC. (\$260,000)
34. Approval to award bid number 99.40221.04, Central Fire Station Diesel Exhaust - Department of Fire Services - Award recommended to: CREATIVE AIR CONSULTANTS, INC. (\$98,250)

PURCHASE ORDER APPROVALS/REVISIONS

35. Approval to issue a purchase order for office space rental at 314 Las Vegas Boulevard North - Office of Business Development - Award recommended to: MANPOWER INC. OF SOUTHERN NEVADA (\$46,320)
36. Approval of revision number one to Purchase Order Number 202782 for an annual requirements contract for street sweeper brooms - Department of Public Works - Award recommended to: NATIONWIDE WIRE & BRUSH MFG. (\$10,000)
37. Approval of revision number one to Purchase Order Number 203931 for the design of the audio/visual upgrade of Council Chambers - Department of Public Works - Award recommended to: THOUGHTFUL DESIGN (\$4,807.35)

APPROVAL OF AGREEMENTS/AUTHORIZATIONS

38. Approval of a professional services, software license, software maintenance and escrow agreements for the implementation and installation of a time and attendance management system; and approve the construction and contingency account - Departments of Finance and Business Services and Information Technologies - Award recommended to: ABI-TRUTRAC, INC. (Estimated amount of \$450,000)
39. Approval of an interlocal agreement with Clark County School to provide food services for the City of Las Vegas Summer Feeding Programs - Department of Leisure Services (Estimated amount of \$90,000)
40. Approval of a professional service agreement for assessment and strategy definition in selecting the optimum technical approach related to process re-engineering efforts at the Las Vegas Municipal Court - Department of Information Technology - Award recommended to: ANABASIS STRAUB CORPORATION (Estimated amount of \$40,000)

DEPARTMENT OF HUMAN RESOURCES - CONSENT

41. Report of new hires - July 5 - July 19, 1999 - Mayor, Office of Mayor; Executive Assistant, Office of Mayor; City Councilwoman, Office of City Council; Management Analyst I, City Manager's Office; Commander, Detention & Enforcement; Financial Analyst 1(X), Finance & Business Services

NEIGHBORHOOD SERVICES - CONSENT

42. Approval of a Community Development Block Grant (CDBG) Deferred Housing Rehabilitation Loan for Marjorie Morris, 111 Ronald Lane, in the amount of \$37,879.72
43. Approval to allocate \$300,000 in Weather Shelter funds to four non-profit organizations for the provision of emergency shelter services
44. Approval of an amendment to a contract approved by City Council on March 8, 1999, for a CDBG FY1999-2000 Public Service grant to reflect the recommendation made by the Community Development Recommending Board
45. Approval to reprogram \$249,617 in HOME funds from the Nevada Homes for Youth 4228 E. Stewart Avenue and 4220 E. Stewart Avenue projects to the Nevada Homes for Youth 4428 E. Stewart Avenue, 603 Sea Pines Lane, and 7904 Greycroft Court projects
46. Approval of the Neighborhood Preservation Program for single family residential rehabilitation, reconstruction, and infill housing, and for business facade improvement

DEPARTMENT OF PUBLIC WORKS - CONSENT

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

47. From: ROSANNE MOSS, TRUSTEE OF THE "MOSS FAMILY TRUST"; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 27, T20S, R61E, M.D.M. for right of way dedication located on Las Vegas Boulevard, north of Bonanza Road (5-27-99) 139-27-812-005
48. From: ANTONIO MORENO, AN UNMARRIED MAN; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 27, T20S, R61E, M.D.M. for dedication of a 54' radius located on the northwest corner of Las Vegas Boulevard and Bonanza Road (6-1-99) 139-27-812-006
49. From: BOARD OF TRUSTEES OF THE CLARK COUNTY SCHOOL DISTRICT, A BODY CORPORATE; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 21, T20S, R61E, M.D.M. for a 15' radius at the northeast corner of Doolittle Avenue and "J" Street (7-22-99) 139-21-703-006

50. From: M.E. RYAN, LLC, AS TO AN UNDIVIDED 50% INTEREST; AND NATIONAL FACILITIES CORP., A CALIFORNIA CORPORATION, AS TO AN UNDIVIDED 50% INTEREST; To: City of Las Vegas; For: Portion of the Northeast Quarter (NE ¼) of Section 34, T19S, R60E, M.D.M. for dedication of a portion of the Drexel Road cul-de-sac, south of Ann Road (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990720 as Instrument Number 01471) (7-15-99) 125-34-501-004
51. From: RIO VISTA PLAZA, LLC, A NEVADA LIMITED LIABILITY COMPANY AND ALBERTSON'S, INC., A DELAWARE CORPORATION, EACH AS THEIR INTERESTS APPEAR OF RECORD; To: City of Las Vegas; For: Portion of the Northeast Quarter (NE ¼) of Section 34, T19S, R60E, M.D.M. for dedication of a portion of the Drexel Road cul-de-sac, south of Ann Road (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990720 as Instrument Number 01469) (7-15-99) 125-34-502-015

RIGHT OF WAY GRANT FOR DRAINAGE AND SEWER PURPOSES

52. From: CIMMARON SPRINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE ¼) of Section 21, T19S, R60E, M.D.M. for a drainage and sewer easement located on the southwest corner of Deer Springs Road and Conough Lane (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990728 as Instrument Number 00420) (7-27-99) 125-21-701-007

RIGHT OF WAY GRANTS FOR INGRESS AND EGRESS PURPOSES

53. From: BOARD OF TRUSTEES OF THE CLARK COUNTY SCHOOL DISTRICT, WHO ACQUIRED TITLE AS CLARK COUNTY SCHOOL DISTRICT BOARD OF SCHOOL TRUSTEES; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW ¼) of Section 26, T19S, R60E, M.D.M. for ingress and egress easements located on the east side of Serene Drive, south side of Azure Drive and west side of Rebecca Road (7-22-99) 125-26-202-001
54. From: CIMMARON SPRINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; To: City of Las Vegas; For: Portions of the Southeast Quarter (SE ¼) of Section 21, T19S, R60E, M.D.M. for ingress and egress easements located on the south side of Deer Springs Road, west of Conough Lane (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990728 as Instrument Number 00419) (7-27-99) 125-21-701-008

RIGHT OF WAY GRANT FOR SIGHT VISIBILITY RESTRICTION PURPOSES

55. From: CIMMARON SPRINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY; To: City of Las Vegas; For: Portions of the Southeast Quarter (SE ¼) of Section 21, T19S, R60E, M.D.M. for sight visibility restriction easements located on the south side of Deer Springs Road, west of Conough Lane (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 990728 as Instrument Number 00421) (7-27-99) 125-21-701-008

EASEMENT

56. From: CITY OF LAS VEGAS; To: Las Vegas Valley Water District; For: Portion of the Northeast Quarter (NE ¼) of Section 34, T20S, R61E, M.D.M. for water facilities near the southwest corner of Las Vegas Boulevard and Ogden Avenue to serve the Neonopolis complex 139-34-513-003

ENCROACHMENT REQUESTS

57. B. Duane Sonnenberg on behalf of THE SALVATION ARMY, Owner; (31 and 35 West Owens Avenue); Applicant proposes to encroach into the public right of way at 31 and 35 West Owens Avenue (between Main Street and Interstate 15); consisting of desert landscaping approximately 2 feet to 3.5 feet wide with trees and shrubs of various heights, rock, an irrigation system and fencing extending approximately 65 feet along the West Owens Avenue property line.
58. Martin & Martin Engineering on behalf of CATHOLIC CHARITIES, INC., Owner; (320 North Ninth Street-Ninth Street 16-plex); Applicant proposes to encroach into the public right of way at 320 Ninth Street; consisting of trees, ground cover, crushed rock and an irrigation system along the Ninth Street property line.
59. VTN Engineering on behalf of CIMARRON-FRONTAGE, LLC and DEER SPRINGS-COCOUGH, LLC, Owners; (Southwest corner of Deer Springs Way and Conough Lane); Applicant proposes to encroach into the public right of way at the southwest corner of Deer Springs Way and Conough Lane for the proposed Deer Springs Apartments; consisting of a landscaped strip approximately 4 feet wide extending west from Conough Lane along Deer Springs Way for approximately 494 feet and will include trees of various heights, tree grates, shrubs of various heights, turf, ground cover, landscaping rock, aggregate, cement, lighting fixtures and an electrical supply.
60. Ernie Becker, Jr. On behalf of LAULE BECKER 2, A NEVADA PARTNERSHIP, Owner, (Northeast corner of Alta Drive and Decatur Boulevard - McDonalds Restaurant); Applicant proposes to encroach into the public right of way at the northeast corner of Alta Drive and Decatur Boulevard for a proposed McDonalds Restaurant; consisting of trees, shrubs, grass, rock and an irrigation system along the Alta Drive and Decatur property lines.
61. Charles E. Feddersen on behalf of ERIC A. POSIN, Owner, (Northeast corner of Pardee Place and Sahara Avenue); Applicant proposes to encroach into the public right of way at the northeast corner of Pardee Place and Sahara Avenue for a proposed office building; consisting of a strip of landscaping approximately 4.5 feet wide and approximately 41 feet long along the Pardee Place property line north of Sahara Avenue which will include low shrubs, various plants with an irrigation system, crushed rock and low curbing.

62. AGRA Infrastructure, Inc. on behalf of PARKWAY RETAIL CENTRE, LLC, Owner, (West Washington Avenue between Buffalo Drive and Tenaya Way - Big K-Mart); Applicant proposes to encroach into the public right of way at West Washington Avenue between Buffalo Drive and Tenaya Way for a proposed Big K-Mart; consisting of trees and shrubs of various heights, grass and a sprinkler system beginning approximately 328 feet east of Buffalo Drive and extending approximately 297 feet along the West Washington Avenue property line.

SEWER CONNECTION AND APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY SANITATION DISTRICT

63. Baughman & Turner, Inc. on behalf of AMERICAN PREMIERE HOMES & DEVELOPMENT, Owner; (Southwest corner of Stange Avenue and Riley Street); Request to connect a proposed 13 lot residential subdivision to the City sewer from property located in Clark County south of Stange Avenue, west of Riley Street; applicant proposes to connect to the existing 8 inch line located in Riley Street; City limit is located adjacent to this site; the City will provide sewer service only and no commitment for water is included with approval.
64. VTN Nevada on behalf of LONE MOUNTAIN CIMARRON LLC, and KAY C. SAVAGE, Owners; (Southeast corner of Lone Mountain Road and Cimarron Road); Request to connect a proposed 25 lot residential subdivision to the City sewer from property located in Clark County south of Lone Mountain Road, east of Cimarron Road; the proposed subdivision will be created from three parcels totaling approximately 15.5 acres; applicant proposes to connect to the existing 27 inch line located in Cimarron Road; City limit is located adjacent to this site, the City will provide sewer service only and no commitment for water is included with approval.
65. VTN Nevada on behalf of NHU THI TRAN, Owner, (Southeast corner of Lone Mountain and Fort Apache Road); Request to connect a proposed 103 lot residential subdivision to the City sewer from property located in Clark County south of Lone Mountain Road, east of Fort Apache Road; the proposed subdivision will be situated on seven parcels totaling approximately 58 acres; applicant proposes to connect to the existing 12 inch line located at the intersection of Riley Street and Craig Road; the City limit is located adjacent to this site; the City will provide sewer service only and no commitment for water is included with approval.
66. TABERNACLE OF PRAISE CHURCH OF GOD IN CHRIST lessor of Bureau of Land Management land lease; (Northeast corner of Buffalo Drive and Constantinople Avenue); Request to connect a proposed church, fellowship hall and child care facility to the City sewer from property located in Clark County north of Buffalo Drive, east of Constantinople Avenue; applicant proposes to connect to the existing 8 inch line located in Constantinople Avenue; City limit is located adjacent to this site; the City will provide sewer service only and no commitment for water is included with approval.

REPORT/ACTION ITEMS

67. Approval of additional services for design of ballfield lighting repair and upgrade for two 60 feet fields and one 90 feet field at the Doolittle Ballfield on J Street and Lake Mead Boulevard
68. Approval of costs for a tortoise mitigation fee required by the Bureau of Land Management for the Northwest Soccer Complex
69. Approval of design services required by Cella Barr for documents to install security conduit and items required by the City Marshals for the Doolittle, Woofter, Heens, and Rotary Parks

TRAFFIC & PARKING ITEM

70. Approval of a request to install speed humps on Lowden Lane between Lorenzi Street and Deerbrook Lane

IV. RESOLUTIONS - CONSENT

71. **R-80-99** - Approval of a Resolution Determining the Cost and Directing the City Engineer to Prepare the Final Assessment Roll re: Special Improvement District No. 1466 (Huntridge Phase III)
72. **R-81-99** - Approval of a Resolution Tentatively Approving Final Assessment Roll and Setting Date for Public Hearing Thereon re: Special Improvement District No. 1466 (Huntridge Phase III)
73. **R-82-99** - Approval of a Resolution transferring 1999 Private Activity Bond Volume Cap of \$8,122,000 for two affordable housing projects in the City of Las Vegas; \$8,000,000 to the State Housing Division for the single family first time homebuyer loan program; \$854,947 to Southwest Gas Corporation and \$854,947 to Nevada Power Company

***** **END OF CONSENT AGENDA** *****

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

74. Discussion and possible adoption of the Clark County Multiple Species Habitat Conservation Plan

CITY ATTORNEY - DISCUSSION

75. **ABEYANCE ITEM** - Appeal of Work Card Denial: Mr. Barry D. Davis, 2416 Lexington Street, North Las Vegas, Nevada 89030
76. Appeal of Work Card Denial: Ms. Jacqueline Bass, 814 North 1st, Las Vegas, Nevada 89106
77. Appeal of Work Card Denial: Loretha Smith, 1208 "E" Street, Apt. #1, Las Vegas, Nevada 89106
78. Discussion and possible action concerning City Attorney's request for permission pursuant to LVMC § 6.02.380 to institute legal action to abate the nuisance at 5100 West Charleston Boulevard, Las Vegas, Nevada, d/b/a Hot Stuff for doing business without a license

DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION

ABEYANCE ITEM

LIQUOR - Six-Month Review

79. Discussion and possible action regarding a six-month review of a Tavern Liquor License, William Keneman, dba Forbidden Clubs Bikini Bar, 3000 Meade Avenue, William M. Keneman, 100%, Ward 1 (M. McDonald)

LIQUOR - Change of Business Name

80. Discussion and possible action regarding a change of business name of a Tavern Liquor License, William Keneman, dba From: Forbidden Clubs Bikini Bar, To: Star Golf, 3000 Meade Avenue, William N. Keneman, 100%, Ward 1 (M. McDonald)

MESSAGE ESTABLISHMENT LICENSE - One-Year Review

81. Discussion and possible action regarding a one-year review of a new Massage Establishment License, Ambiance Massage and Facials, Inc., dba Ambiance Massage and Facials, Inc., 923 South Rainbow Boulevard, Ellen L. Green-Bluestein, Dir, Pres, Secy, Treas, 100%, Michael M. Bluestein, Dir, VP, Ward 2 (L. B. McDonald)

INDEPENDENT MESSAGE THERAPIST - New

82. Discussion and possible action regarding a new Independent Massage Therapist License following discussion of the Las Vegas Metropolitan Police Department Investigative Report, Tina Maines, dba Tina Maines, 3225 Red Scott Circle, Tina M. Maines, 100% (County)

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

83. Rescind previous action by City Council of the approval to award bid number 99.1730.34, Scotch 80's pavement reconstruction; and approve the construction and contingency account - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORP. (\$303,817.15)
84. Discussion and possible action to award bid number 99.1730.34, Scotch 80's pavement reconstruction; and approve the construction and contingency account - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORP. (\$303,817.15)

DEPARTMENT OF HUMAN RESOURCES - DISCUSSION

85. Report on the process established to justify and review all requests to fill vacant positions and to encourage staff to review all programs to ensure the most effective use of City resources

NEIGHBORHOOD SERVICES - DISCUSSION

86. Discussion and possible action to implement the Youth Neighborhood Association Partnership Program (YNAPP)
87. Discussion and possible approval to allocate General Funds in the amount of \$15,000 to assist Catholic Charities of Southern Nevada to operate restrooms for extended hours for the homeless population at 1501 Las Vegas Blvd. North, Las Vegas

DEPARTMENT OF PUBLIC WORKS - DISCUSSION

ABEYANCE ITEM

SEWER CONNECTION AND APPROVAL OF INTERLOCAL CONTRACT WITH CLARK COUNTY SANITATION DISTRICT

88. **D.A. ENTERPRISES, INC.,** Owner; (6250 Rio Vista Street - Bob Taylors Ranch House Restaurant); Request to connect one lot, approximately 4.7 acres, with an existing usage of a restaurant, to the City sewer from property located in Clark County at 6250 Rio Vista Street; applicant proposes to connect to the existing 27 inch line located in Rio Vista Street; the City limit is located adjacent to this site; the proposed usage of this parcel does not conform with the City's General Plan for the area; however, as a result of an on-site meeting between the property owners and the Clark County Health District on April 12, 1999, this connection is now required by the Health District.

TRAFFIC & PARKING ITEM

89. Discussion and possible action on a request to install speed humps on Dolores Drive between Silverstream Avenue and Washington Avenue

IV. RESOLUTIONS - DISCUSSION

90. **R-83-99** - Discussion and Possible Action to Approve a Resolution Adopting a Rate Schedule for Ambulance Transportation Services Provided by the Department of Fire and Rescue
91. **R-84-99:** Discussion and Possible Action to Approve a Resolution by the Las Vegas City Council to Provide the U. S. General Services Administration with a 5.3+/- acre site in the Las Vegas Enterprise Park for the purposes of constructing an administrative office building for the Federal Bureau of Investigation's Las Vegas office

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

92. **Bill No. 99-36** -- Readopts LVMC 10.02.010 to make State misdemeanors likewise City misdemeanors. Proposed By: City Attorney
93. **Bill No. 99-37** -- Amends the Zoning Code to specifically authorize the City Council to take final action on site development plans, and to require final action by the Council concerning variance approvals. Sponsored by: Councilman Michael McDonald
94. **Bill No. 99-41** - Authorizes the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Park Bonds, Series 1999 and providing other matters relating thereto

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. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

95. **Bill No. 99-39** -- Levies Assessment re: Special Improvement District No. 1465 (Mojave Road) Sponsored by: Step Requirement
96. **Bill No. 99-19** -- Creates District re: Special Improvement District No. 1470 - Buffalo (Cheyenne Avenue to Lone Mountain Road) and Craig Road US-95 to Buffalo Drive). Sponsored by: Step Requirement

VI REPORTS FROM REAL ESTATE COMMITTEE

97. Discussion and possible action to approve the Second Amendment to the Lease Agreement between the City of Las Vegas and On Time Productions in the Incubator Program at the Las Vegas Business Center
98. Discussion and possible action to approve Lease Agreement between the City of Las Vegas and Daryl Newsom's Clinical Hypnosis Therapy in the Incubator Program at the Las Vegas Business Center

VII. BOARDS & COMMISSIONS

99. **ABEYANCE ITEM** - COMMUNITY EMPLOYMENT ADVISORY COMMITTEE - Robert Fortson - Term Expires - 6/1999
100. **ABEYANCE ITEM** - CITIZENS PRIORITY ADVISORY COMMITTEE - Jill Langerman - Term Expires - 6/1999; Ronald L. Butters - Term Expires - 6/28/1999

- 101. **ABEYANCE ITEM** - BOARD OF CIVIL SERVICE TRUSTEES - Rev. David L. Harris - Term Expires - 8/7/99
- 102. **ABEYANCE ITEM** - SENIOR CITIZENS ADVISORY BOARD - Samuel Sparks - Term Expires 4-19-2001 (deceased); Rita Meier - Term Expires 6-20-99 (resigned); Zelda Weingard - Term Expires 3-4-2000 (resigned)
- 103. **PLANNING COMMISSION** - Stephen P. Quinn - Term Expires - 9/6/1999; Hank Gordon - Term Expires 9-20-1999

VIII. NEW BILLS

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.

- 104. **Bill No. 99-38** – Amends LVMC Chapter 4.24 to adjust the property valuation standard for purposes of calculating the City's residential construction tax. Sponsored by: Councilman Larry Brown
- 105. **Bill No. 99-43** – Annexation No. A-10-98(A) Property Located: On the southwest corner of Durango Drive and Centennial Parkway
Petitioned By: Gilbert Development Company, et al. Acreage: Approximately 30.23 acres Zoned: R-E (ROI to C-2) (County Zoning) U (ROI to C-2) (City Equivalent) Zoning Requested as Condition of Annexation: U (TC) (ROI to GC and SC) Sponsored by: Councilman Larry Brown
- 106. **Bill No. 99-44** – Annexation No. A-23-99(A) Property Located: Northwest corner of Tenaya Way and Azure Drive. Petitioned By: Centennial 95, Limited Partnership Acreage: Approximately 1.3 acres Zoned: R-E (County Zoning) R-E (City Equivalent) Sponsored by: Councilman Larry Brown
- 107. **Bill No. 99-45** – Annexation No. A-29-99(A) Property Located: On the east side of Cypress Trail, approximately 140 feet north of Spring Road Petitioned By: S & W Investments, Inc. Acreage: Approximately .31 acres Zoned: H-2 (County Zoning) C-2 (City Equivalent) Sponsored by: Councilman Larry Brown
- 108. **Bill No. 99-46** – Revises the licensing regulations that govern massage establishments and massage therapists. Proposed By: Virginia Valentine, City Manager
- 109. **Bill No. 99-47** – Establishes licensing and regulatory requirements relating to the practices of acupressure and reflexology. Proposed by: Virginia Valentine, City Manager
- 110. **Bill No. 99-49** – Imposes limitations on the sale of alcoholic beverages at certain special events. Proposed By: Mark Vincent, Director of Finance and Business Services
- 111. **Bill No. 99-50** – Authorizes the same kind of emergency action to suspend non-privileged business licenses as is afforded regarding privileged licenses, and provides for the appeal of such emergency action to be taken in the State of Nevada District Court. Proposed By: Mark Vincent, Director of Finance and Business Services

1:00 P.M. – AFTERNOON SESSION

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

IX. PUBLIC HEARING

- 113. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1305 Norman Avenue. PROPERTY OWNER: Washington Mutual Mortgage

PLANNING AND DEVELOPMENT DEPARTMENT

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.

DISCUSSION/ACTION ITEMS

TIME CERTAIN - 1:00 P.M.:

SPECIAL USE PERMIT - PUBLIC HEARING

114. ABEYANCE ITEM - U-64-99 - SHAWBETH, INC. ON BEHALF OF R.D.S., INC. - Request for a Special Use Permit on property located on the north side of Sahara Avenue, approximately 330 feet west of Montessori Street, TO ALLOW USED MOTOR VEHICLE SALES, U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and PR (Professional Office and Parking), Pending C-2 (General Commercial) Zone, Ward 1 (McDonald), APN: 163 03-06-001. **NOTE: The General Plan Designation of O (Office has been changed to GC (General Commercial).** The Planning Commission (5-0 vote) and staff recommend APPROVAL.

VACATION - PUBLIC HEARING

115. ABEYANCE ITEM - VAC-6-99(1) - CIMARRON SPRINGS LIMITED LIABILITY COMPANY - Consideration to determine if the north half of Deer Springs Way should be included as part of the approved Vacation of the south half of Deer Springs Way, on property located on Deer Springs Way between Sky Pointe Drive and Cimarron Road, Ward 4 (Brown). Staff recommends APPROVAL.
116. VAC-24-99 - CENTENNIAL 95, LIMITED PARTNERSHIP/CENTENNIAL RANCH, LIMITED LIABILITY COMPANY - Petition to vacate public rights-of-way and all the public utility easements generally located east of Rancho Drive and south of the future Beltway, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL.

VARIANCE - PUBLIC HEARING

117. ABEYANCE ITEM - V-31-99 - REZA SALIMIAN - Review requested by City Council for a Variance on properties located at 1801, 1803 and 1805 East Charleston Boulevard TO ALLOW 18 PARKING SPACES WHERE 38 ARE THE MINIMUM REQUIRED; AND A PROPOSED 638 SQUARE FOOT, SECOND-STORY OFFICE ADDITION WITH OUTSIDE ACCESS STAIRWAY 5 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH AN EXISTING COMMERCIAL/MULTI-FAMILY BUILDING, C-1 (Limited Commercial) Zone, Ward 3 (Reese), APN's: 139-35-814-018 and 019. Staff recommends DENIAL. The Board of Zoning Adjustment (4-0 vote) recommends APPROVAL.
118. ABEYANCE ITEM - V-52-99 - CAMP BOB, LIMITED LIABILITY COMPANY - Review by Council from the Approval by the Board of Zoning Adjustment of a request for a Variance on property located at 2929 and 2939 Alta Drive TO ALLOW SEVEN EXISTING KITCHENS WHERE ONE KITCHEN IS ALLOWED IN CONJUNCTION WITH THE PROPOSED LINKING OF TWO EXISTING SINGLE-FAMILY DWELLINGS, R-A (Ranch Acres) Zone, Ward 1 (McDonald), APN: 139-32-304-005 and 006. The Board of Zoning Adjustment (4-0 vote) and staff recommend APPROVAL.
119. ABEYANCE ITEM - V-55-99 - CARMELLA MAURO - Request for a Variance on property located at 4109 West Sahara Avenue TO ALLOW A PROPOSED ADDITION TO AN EXISTING RETAIL BUILDING 4.5 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS REQUIRED; 13 PARKING SPACES WHERE 18 ARE THE MINIMUM REQUIRED; AND TO ALLOW THE EXPANSION OF A NON-CONFORMING BUILDING, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-07-511-006. Staff recommends DENIAL. The Board of Zoning Adjustment (3-1 vote) recommends APPROVAL.

REVIEW OF CONDITION - SPECIAL USE PERMIT - PUBLIC HEARING

120. ABEYANCE ITEM - U-117-97(1) - LAS VEGAS RANCHO PARTNERS, LIMITED LIABILITY COMPANY - Request for a Review of Original Condition Number 2 for an approved Special Use Permit on property located on the east side of Rancho Drive, north of Torrey Pines Drive, TO ALLOW PROPOSED MINI-STORAGE BUILDINGS ALONG TORREY PINES DRIVE TO BE 14 FEET HIGH WHERE A MAXIMUM HEIGHT OF 11 FEET WAS IMPOSED, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN's: 138-02-102-010, 138-02-203-001 and 002. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

SPECIAL USE PERMIT - PUBLIC HEARING

121. ABEYANCE ITEM - U-66-99 - SYSTEM CAPITAL REAL PROPERTY CORPORATION - Request for a Special Use Permit on property located at 7171 West Ann Road FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED 2,204 SQUARE FOOT CONVENIENCE STORE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown), APN: 125-34-502-001. **(Note: This item to be heard in conjunction with Morning Session Item Nos. 10 & 11).** Staff recommends DENIAL. The Planning Commission (3-2-1 vote) recommends APPROVAL.

VARIANCE RELATED TO U-66-99 - PUBLIC HEARING

122. **ABEYANCE ITEM - V-49-99 - SYSTEM CAPITAL REAL PROPERTY CORPORATION ON BEHALF OF TERRIBLE HERBST OIL COMPANY** - Appeal filed by the Ann Road Neighborhood Coalition from the Approval by the Board of Zoning Adjustment of a request for a Variance by System Capital Real Property Corporation on behalf of Terrible Herbst Oil Company on property located at 7171 Ann Road TO ALLOW A PROPOSED 100 FOOT HIGH FLAG POLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED IN CONJUNCTION WITH AN APPROVED AND PARTIALLY CONSTRUCTED PROPOSED CONVENIENCE STORE/GAS STATION, U (Undeveloped) Zone [ML (Medium- Low Density Residential) General Plan Designation] under resolution of intent to PD (Planned Development)], Ward 4 (Brown), APN: 125-34-502-001. (Note: This item to be heard in conjunction with Morning Session Item Nos. 10 & 11) Staff recommends DENIAL. The Board of Zoning Adjustment (3-1 vote) recommends APPROVAL

REZONING - PUBLIC HEARING

123. **ABEYANCE ITEM - Z-38-99 - FARMANALI FAMILY TRUST** - Request for a Rezoning on property located on the northwest corner of Elkhorn Road and Leon Avenue, FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units Per Acre) PROPOSED USE: A 31 LOT RESIDENTIAL SUBDIVISION, Size: 10.00 Acres, Ward 4 (Brown), APN: 125-13-402-009. The Planning Commission (6-0 vote) and staff recommend DENIAL.

REQUEST TO RESCIND PREVIOUS ACTION - REZONING

124. **Z-92-98(1) - RAY BAILEY** - Rescind the Previous Action of Denial by Council of a request by Ray Bailey for a Rezoning on property located at 920 East Bonanza Road, From: R-3 (Medium Density Residential) To: C-1 (Limited Commercial) PROPOSED USE: A 5,000 SQUARE FOOT RETAIL CENTER, Size: 0.48 Acres, Ward 3 (Reese), APN's: 139-26-410-021, 022 and 023. Staff has no recommendation on the request to Rescind the Previous Action.

REZONING - PUBLIC HEARING

125. **Z-92-98(2) - RAY BAILEY** - Request for a Rezoning on property located at 920 East Bonanza Road, From: R-3 (Medium Density Residential) To: C-1 (Limited Commercial) PROPOSED USE: A 5,000 SQUARE FOOT RETAIL CENTER, Size: 0.48 Acres, Ward 3 (Reese), APN's: 139-26-410-021, 022 and 023. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

WARDS 1, 2, 3 & 4:

GENERAL PLAN AMENDMENT - PUBLIC HEARING

126. **GPA-23-99 - CITY OF LAS VEGAS** - Request to Amend the General Plan of the City of Las Vegas to add MLA (Medium Low Attached) 8.1 to 12 Dwelling Units Per Acre as a land use category and amend the densities allowed for the L (Low Density Residential) to allow a maximum of 5.5 Dwelling Units Per Acre, ML (Medium-Low Density Residential) to allow a maximum of 8 Dwelling Units Per Acre, M (Medium Density Residential) to allow a maximum of 25 Dwelling Units Per Acre, and High land use categories for the land use maps of the Southwest and Southeast Sectors of the General Plan, Ward 1 (McDonald), Ward 2 (L. B. McDonald), Ward 3 (Reese) and Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL.
127. **GPA-14-99 - CITY OF LAS VEGAS** - Request to Amend the Southwest Sector Map of the General Plan for an area generally located south of Cheyenne Avenue and west of Decatur Boulevard, Ward 1 (McDonald), Ward 2 (L. B. McDonald) and Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL.

WARD 3:

GENERAL PLAN AMENDMENT - PUBLIC HEARING

128. **GPA-19-99 - YHIEL SHEBAH** - Request to Amend a portion of the Downtown Redevelopment Plan on property located at 721 Bell Drive, From: PF (Public Facility) To: SC (Service Commercial), Ward 3 (Reese), APN: 139-27-811-016. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

REZONING RELATED TO GPA-19-99 - PUBLIC HEARING

129. **Z-34-99 - YHIEL SHEBAH** - Request for a Rezoning on property located at 721 Bell Drive From: R-1 (Single Family Residential) To: C-1 (Limited Commercial), PROPOSED USE: A MARKET AND PROFESSIONAL OFFICES, Size: 0.93 Acres, Ward 3 (Reese), APN:-139-27-811-016. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

130. **GPA-20-99 - JUDY K. WARNER** - Request to Amend a portion of the Southeast Sector of the General Plan on property located at 140 North Lamb Boulevard, From: L (Low Density Residential) To: O (Office), Ward 3 (Reese), APN: 140-32-310-011. The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

REZONING RELATED TO GPA-20-99 - PUBLIC HEARING

131. Z-35-99 - JUDY K. WARNER - Request for a Rezoning on property located at 140 North Lamb Boulevard, From: R-1 (Single Family Residential) To: P-R (Professional Office and Parking), PROPOSED USE: A 1,584 SQUARE FOOT OFFICE, Size: 0.17 Acres, Ward 3 (Reese), APN: 140-32-310-011. The Planning Commission (3-2-1 vote) and staff recommend DENIAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

132. GPA-21-99 - MALIBU DEVELOPMENT CORPORATION - Request to Amend a portion of the West Las Vegas Plan on property located at 2200 West Bonanza Road, From: SC (Service Commercial) and ML (Medium Low Density Residential) To: H (High Density Residential), Size: 3.80 Acres, Ward 3 (Reese), APN's: 139-29-704-028, 029 and 030. Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

REZONING RELATED TO GPA-21-99 - PUBLIC HEARING

133. Z-36-99 - MALIBU DEVELOPMENT CORPORATION - Request for a Rezoning on property located at 2200 West Bonanza Road, From: R-E (Residence Estates), R-1 (Single Family Residential) and R-5 (Apartment) To: R-4 (High Density Residential), PROPOSED USE: 90 ADDITIONAL APARTMENTS TO AN EXISTING 102 UNIT APARTMENT COMPLEX, Size: 3.80 Acres, Ward 3 (Reese), APN's: 139-29-704-028, 029 and 030. Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

WARD 4:

GENERAL PLAN AMENDMENT - PUBLIC HEARING

134. GPA-44-98 - NORTHSHORE 252 LIMITED PARTNERSHIP - Request to Amend a portion of the Northwest General Plan on property located at 3350 North Durango Drive, From: SC (Service Commercial) To: M (Medium Density Residential), Ward 4 (Brown), APN's: 138-09-401-001, 002, 003 and 016. The Planning Commission (5-0-1 vote) and staff recommend APPROVAL.

REZONING RELATED TO GPA-44-99 - PUBLIC HEARING

135. Z-80-98 - NORTHSHORE 252 LIMITED PARTNERSHIP - Request for a Rezoning on property located at 3350 North Durango Drive, FROM: C-1 (Limited Commercial) TO: R-3 (Medium Density Residential) PROPOSED USE: PREVIOUSLY APPROVED AND PRESENTLY UNDER CONSTRUCTION 252 UNIT APARTMENT COMPLEX, Size: 13.9 Acres, Ward 4 (Brown) APN's: 138-09-401-001, 002, 003, and 016. The Planning Commission (5-0-1 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

136. GPA-12-99 - CITY OF LAS VEGAS - WYKOFF-NEWBERG CORPORATION AND CAROL, HARRY AND JOHN PAPPAS - Request to amend a portion of the Town Center Land Use Plan on property located north of Elkhorn Road and west of U. S. Highway 95, From: PF-TC (Public Facility) To: UC-TC (Urban Center Mixed Use), Ward 4 (Brown), APN's: 125-17-801-002 and 003. The Planning Commission (5-1 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

137. GPA-13-99 - SAN MICHELE APARTMENTS, LIMITED LIABILITY COMPANY ON BEHALF OF CASTLE PROPERTY COMPANY - Request to Amend a portion of the Southwest Sector of the General Plan on property located on the north side of Lake Mead Boulevard, approximately 540 feet east of Jones Boulevard, From: SC (Service Commercial) To: H (High Density Residential), Ward 4 (Brown), APN: 138-24-215-005. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

REZONING RELATED TO GPA-13-99 - PUBLIC HEARING

138. Z-28-99 - SAN MICHELE APARTMENTS, LIMITED LIABILITY COMPANY - Request for a Rezoning on property located on the north side of Lake Mead Boulevard, approximately 540 feet east of Jones Boulevard, From: C-1 (Limited Commercial) To: R-4 (High Density Residential), Ward 4 (Brown), APN: 138-24-215-005. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

139. GPA-16-99 - STATE OF NEVADA ON BEHALF OF W.L. HOMES, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Northwest Amendment to the General Plan on property located on the northwest corner of Racel Street and Cimarron Road, From: P (Park/Recreation/Open Space) To: L (Low Density Residential), Ward 4 (Brown), APN: 125-09-301-001. Staff recommends DENIAL. Due to the failure of the Planning Commission to establish a super-majority vote (4-1-1 on a recommendation for approval), this item is being forwarded to City Council as a recommendation for DENIAL.

REZONING RELATED TO GPA-16-99 - PUBLIC HEARING

140. Z-31-99 - STATE OF NEVADA ON BEHALF OF W.L. HOMES, LIMITED LIABILITY COMPANY - Request for a Rezoning on property located on the northwest corner of Racel Street and Cimarron Road, From: R-E (Residence Estates) To: R-PD4 (Residential Planned Development - 4 Units Per Acre) PROPOSED USE: 176 LOT SINGLE FAMILY SUBDIVISION, Size: 44.28 Acres, Ward 4 (Brown), APN: 125-09-301-001. The Planning Commission (4-1-1 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

141. GPA-18-99 - EMERALD DEVELOPMENT - Request to Amend a portion of the Northwest Amendment to the General Plan on property located on the southeast corner of Hickam Avenue and Bradley Road, From: DR (Desert Rural Density Residential) To: R (Rural Density Residential), Ward 4 (Brown), APN: 138-01-706-002. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

REZONING RELATED TO GPA-18-99 - PUBLIC HEARING

142. Z-33-99 - EMERALD DEVELOPMENT - Request for a Rezoning on property located on the southeast corner of Hickam Avenue and Bradley Road, From: R-E (Residence Estates) To: R-PD3 (Residential Planned Development - 3 Units per Acre), PROPOSED USE: EXPANSION OF A PREVIOUSLY APPROVED RESIDENTIAL SUBDIVISION, Size: 3.99 Acres, Ward 4 (Brown), APN: 138-01-706-002. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

143. GPA-22-99 - NICK AND KATHLEEN MICAS, ET AL - Request to Amend a portion of the Southwest Sector of the General Plan on property located on the south side of Lake Mead Boulevard, approximately 550 feet east of Decatur Boulevard, From: L (Low Density Residential) To: O (Office), Size: 0.76 Acres, Ward 4 (Brown), APN's: 139-19-202-002 through 005. **NOTE: "Southwest Sector" as stated above has been changed to "Southeast Sector".** The Planning Commission (5-0 vote) and staff recommend APPROVAL.

WARD 1:

GENERAL PLAN AMENDMENT - PUBLIC HEARING

144. GPA-15-99 - BYRON AND LUELLA THORNTON TRUST - Request to Amend a portion of the Southeast Sector of the General Plan on property located at 1210 Shadow Lane, From: R (Rural Density Residential) To: O (Office), Ward 1 (McDonald), APN: 162-04-112-004. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

REZONING RELATED TO GPA-15-99 - PUBLIC HEARING

145. Z-30-99 - BYRON AND LUELLA THORNTON TRUST - Request for a Rezoning on property located at 1210 Shadow Lane, From: R-E (Residence Estates) To: P-R (Professional Office and Parking), PROPOSED USE: 9,811 SQUARE FOOT OFFICE BUILDING, Size: 0.92 Acres, Ward 1 (McDonald), APN: 162-04-112-004. The Planning Commission (6-0 vote) and staff recommend APPROVAL.

GENERAL PLAN AMENDMENT - PUBLIC HEARING

146. GPA-17-99 - SCHNEIDER FAMILY TRUST AND WILLIAM CULLINGS - Request to Amend a portion of the Southwest Sector of the General Plan on property located on the east side of Buffalo Road, approximately 660 feet south of Charleston Boulevard, From: DR (Desert Rural Density Residential) To: O (Office), Ward 1 (McDonald), APN's: 163-03-101-002 and 003. The Planning Commission (6-0 vote) and staff recommend DENIAL.

REZONING RELATED TO GPA-17-99 - PUBLIC HEARING

147. Z-32-99 - SCHNEIDER FAMILY TRUST AND WILLIAM CULLINGS ON BEHALF OF LARRY GOLDMAN - Request for a Rezoning on property located on the east side of Buffalo Road, approximately 660 feet south of Charleston Boulevard, From: R-E (Residence Estates) To: P-R (Professional Offices and Parking), PROPOSED USE: A 43,484 SQUARE FOOT OFFICE COMPLEX, Size: 4.26 Acres, Ward 1 (McDonald), APN's 163-03-101-002 and 003. The Planning Commission (6-0 vote) and staff recommend DENIAL.

TIME CERTAIN - 4:00 P.M. (WARD 4):

REQUIRED REVIEW AND REVIEW OF CONDITION - PUBLIC HEARING

148. Z-76-98(5) - OLYMPIC NEVADA, INC. AND CENTENNIAL & RANCHO PARTNERS, LIMITED LIABILITY COMPANY - Required Review for the landscaping, parking and signage issues and a report regarding the association, maintenance or assessment district, and a Review of Condition to allow the proposed pylon signs to be three-sided where a maximum of two sides is allowed, on property located on the southwest corner of Centennial Parkway and U. S. 95, T-C (Towncenter) Zone, Size: 158.80 Acres, Ward 4 (Brown), APN's: 125-28-101-002, 125-28-201-002, 125-28-602-001 through 004, 125-28-601-001, 125-28-701-002, 004 and 005. Staff recommends Approval.
149. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

X. ADDENDUM

XI. CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

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

Downtown Transportation Center, City Clerk's Posting Board
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

Barbara Linford, 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
863892

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/06/99 to 08/06/1999, on the following days: AUGUST 6, 1999

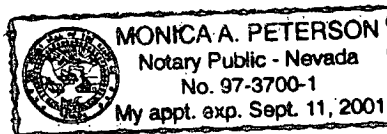
Signed: Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10

day of August 1999

Monica A. Peterson

Notary Public



BILL NO. 99-41

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on August 4, 1999, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on August 18, 1999.

/s/ Barbara Jo Ronemus
City Clerk
PUB, August 6, 1999
Las Vegas Review-Journal

RECEIVED
CITY CLERK

1999 AUG 13 A 10:50

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

AFFP

DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

RECEIVED
CITY CLERK

1999 AUG 31 A 10:17

Barbara Linford, 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
888500

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/20/99 to 08/20/1999, on the following days: AUGUST 20, 1999

Signed:

Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE

day of AUGUST 1999

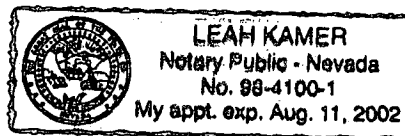
Leah Kamer

Notary Public

BILL NO. 99-41
ORDINANCE NO. 5162
(of the City of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on August 4, 1999, and was passed and adopted at a meeting held on August 18, 1999, by the following vote of the City Council:
Those Voting Aye:
Oscar Goodman
Gary Reese
Larry Brown
Lynette Boggs-McDonald
Those Voting Nay: NONE
Those Excused:
Michael J. McDonald
This Ordinance shall be in full force and effect from and after the 20TH day of August, 1999, i.e., the day after the publication of such Ordinance by its 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 August 18, 1999.
Attest: /s/ Oscar Goodman, Mayor
/s/ Barbara Jo Ronemus, City Clerk
PUB: August 20, 1999
Las Vegas Review-Journal



AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

Barbara Linford, 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
863892

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/06/99 to 08/06/1999, on the following days: AUGUST 6, 1999

Signed:

Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE

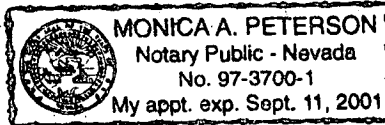
day of

August

1999

Monica A. Peterson

Notary Public



BILL NO. 99-41

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE", PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS; THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on August 4, 1999, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas on August 18, 1999.

/s/ Barbara Jo Ronemus
City Clerk
PUB: August 6, 1999
Las Vegas Review-Journal

1999 AUG 13 A 10:50

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CITY CLERK

AFFP

DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK)

SS:

RECEIVED
CITY CLERK

1999 AUG 31 A 10:17

Barbara Linford, 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
888500

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 08/20/99 to 08/20/1999, on the following days: AUGUST 20, 1999

Signed: Barbara Linford

SUBSCRIBED AND SWORN BEFORE ME THIS THE 20

day of AUGUST 1999

Leah Kamen
Notary Public

BILL NO. 99-41
ORDINANCE NO. 5162
(of the City of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "1999 MEDIUM-TERM RECREATION BOND ORDINANCE", PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM PARK BONDS, SERIES 1999, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PARK AND RECREATION PROJECTS FOR THE CITY; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING; BY THE CITY AND ITS OFFICERS AND EMPLOYEES; PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on August 4, 1999, and was passed and adopted at a meeting held on August 18, 1999, by the following vote of the City Council:
Those Voting Aye:
Oscar Goodman
Gary Reese
Larry Brown
Lynette Boggs-McDonald
Those Voting Nay: NONE
Those Excused:
Michael J. McDonald
This Ordinance shall be in full force and effect from and after the 20TH day of August, 1999, i.e., the day after the publication of such Ordinance by its 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 August 18, 1999.
Attest: /s/ Oscar Goodman, Mayor
/s/ Barbara J. Ronemus, City Clerk
PUB: August 20, 1999
Las Vegas Review-Journal

