

Summary - An ordinance authorizing local improvement bonds for the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) in the aggregate principal amount of \$40,000,000, and providing other matters related thereto.

BILL NO. 96-57

ORDINANCE 3996

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the City Council of the City (the "Council") has heretofore, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) (the "District") for the purpose of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Council has heretofore provided for the payment of the cost and expense of the Project by assessing the cost of the Project against the assessable lots, tracts and parcels of land benefited by the Project; and

WHEREAS, the Council desires to issue its City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996 in the aggregate principal amount of \$40,000,000 (the "Bonds") to provide funds to pay the cost and expense of the Project; and

WHEREAS, the Bonds are to be payable from the sources permitted by the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes, and all laws amendatory thereof and supplemental thereto (the "Act"), as more fully described herein; and

WHEREAS, the Bonds are to be sold by the City to Stone & Youngberg LLC and Merrill Lynch & Co. (collectively the "Purchaser") on the terms set forth in the Bond Purchase Contract in substantially the form filed with the City Clerk prior to the date of adoption of this Ordinance (the "Bond Purchase Contract"); and

WHEREAS, the effective interest rate on the Bonds shall not exceed by more than three percent (3%) the "Index of Twenty Bonds" which was most recently published in The Bond Buyer; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the Bonds.

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

Section 1. In addition to the terms elsewhere defined in this Special Improvement District No. 707 (Summerlin Area) Bond Ordinance (the "Ordinance"), the following terms shall have the respective meanings set forth below:

"Administration Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Administration Fund" established in Section 11 hereof.

"Assessment" or "Assessments" means the aggregate special assessment or individual portions thereof, as the case may be, levied by the City constituting a first lien and charge upon benefited lots, tracts and parcels of land within the District, co-equal with the latest lien thereon to secure the payment of general (ad valorem) taxes.

"Assessment Installments" means the installments of principal and interest of the Assessments to be paid by the owners of the benefited lots, tracts and parcels of land within the District.

"Assessment Ordinance" means the assessment ordinance finally adopted by the Council on May 15, 1996 and any ordinance amending such ordinance.

"Bond Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund" established in Section 11 hereof.

"Bond Reserve Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund" established in Section 11 hereof.

"Certificate of City Finance Director" means a certificate of the City Finance Director dated on or before the date of delivery of the Bonds setting forth the rate of interest on the Bonds, the dates on which and prices at which Bonds may be called for redemption, the price at which the Bonds will be sold, and the amount of principal maturing on each date.

"Code" means the Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder, including any regulations promulgated under the Internal Revenue Code of 1954, as amended, applicable to the Bonds.

"Construction Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Construction Fund" established in Section 11 hereof.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement between the City and the Developer, in substantially the form now before the Council, and any amendments and supplements thereto.

"Continuing Disclosure Certificate" means the Continuing Disclosure Certificate executed by the Mayor and dated as of the date of delivery of the Bonds, in substantially the form now before the Council, and any amendments and supplements thereto.

"Developer" means Howard Hughes Properties, Limited Partnership, a Delaware limited partnership.

"Extraordinary Maintenance, Repair or Improvement Account" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Extraordinary Maintenance, Repair or Improvement Account" established in Section 11 hereof pursuant to NRS 354.6105.

"Financing Agreement" means the Development and Financing Agreement dated as of May 15, 1996 between the City and the Developer, and any amendments and supplements thereto.

"Minimum reserve requirement" means an amount equal to the Percentage of the combined maximum principal and interest coming due on the Assessments in any one year.

"Paying Agent" means the Treasurer of the City, being the agent for the City for the payment of the Bonds and interest thereon, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Percentage" means the lesser of (a) 100%, or (b) the percentage which when multiplied times the combined maximum principal and interest coming due on the Assessments in any one year at the time of issuance of the Bonds equals the maximum amount of Bond proceeds which may be deposited to the Reserve Fund pursuant to Section 148 of the Code and the regulations and rulings promulgated thereunder. The Percentage shall be determined as of the date of issuance of the Bonds and shall not be recalculated thereafter.

"Rebate Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund" created in Section 11 hereof.

"Record Date" means the fifteenth day of the calendar month preceding the calendar month in which each regularly scheduled interest payment date for the Bonds occurs.

"Registrar" means the Treasurer of the City, being the agent for the City for the registration, transfer and exchange of the Bonds, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Report" means the Engineers Report For Special Improvement District No. 707 (Summerlin Area) dated May 15, 1996, and any addendum thereto filed with the City Clerk prior to the date of adoption of this ordinance.

"Special Record Date" means a special date fixed by the Paying Agent to determine the names and addresses of registered owners of Bonds for the purpose of paying interest on a special interest payment date for the payment of defaulted interest, all as further provided in Section 3 hereof.

"Trust Estate" means (i) all Assessments, (ii) all moneys and securities from time to time held by the City in the Bond Reserve Fund and the Bond Fund, and (iii) any and all other real or personal property of every name

and nature hereafter by delivery or in writing specially pledged as additional security for the Bonds.

Section 2 All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of Assessments for those purposes, the validation and confirmation of the assessment roll and the Assessments therein and the sale of the Bonds to the Purchaser, are ratified, approved and confirmed, including, without limitation, the execution and delivery of the Bond Purchase Contract and the distribution of the Preliminary Official Statement for the Bonds.

Section 3. For the purpose of defraying the entire cost and expense to the City of the Project, there shall be issued the City's special assessment bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996" in the aggregate principal amount of \$40,000,000, which Bonds shall be dated as of July 1, 1996 and shall be in the form of fully registered Bonds in the denominations of \$5,000 and any integral multiple thereof. The Bonds shall bear interest, at the rates per annum designated in the Certificate of the City Finance Director from the most recent interest payment date for which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds, to maturity at the rates per annum herein designated, payable semiannually on June 1 and December 1 of each year, commencing on December 1, 1996. The bonds shall mature on June 1 (and December 1 if so designated in the Certificate of the City Finance Director) in each of the designated years and amounts as designated in the Certificate of the City Finance Director. The principal of each Bond shall be payable at the principal office of the Paying Agent upon presentation and surrender of the Bond. Except as provided in Section 8 hereof, payment of interest on any Bond shall be made to the person who is the registered owner thereof at the close of business on the Record Date for such interest payment date by check mailed by the Paying Agent to such registered owner at his or her address as it appears on the registration records kept by the Registrar, but any such interest not so timely paid shall cease to be payable to the person who is the registered owner thereof at the close of business on the Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a

Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than ten days prior thereto by first-class postage prepaid mail to each such registered owner as shown on the registration records, 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 in writing between the registered owner of such Bond and the Paying Agent. If any Bond is not paid upon its presentation and surrender at or after its maturity or prior redemption, interest shall continue at its stated rate per annum until the principal thereof is paid in full. Interest on the Bonds shall be calculated based on a 360-day year, consisting of twelve 30-day months. All such payments shall be made in lawful money of the United States of America.

Section 4. The Bonds will be subject to redemption at the option of the City from any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium of not more than 3% as set forth in the Certificate of the City Finance Director. If less than all of the Bonds are to be redeemed, the Bonds to be redeemed shall be selected proportionately from each outstanding maturity of the Bonds unless the City Treasurer determines that the Assessment Installments will be sufficient to pay the principal and interest of the Bonds, which would remain outstanding using a different method of selecting Bonds to be redeemed, on each interest payment date subsequent to the redemption date. The redemption premium, if any, shall be paid from a prepayment penalty for the Assessments provided for in the Assessment Ordinance, provided, however, that nothing herein shall prevent the payment of any such redemption premium from any other funds available for that purpose. Any Assessment which is voluntarily prepaid shall be used to redeem Bonds on the next interest payment date on the Bonds which is at least 60 days after receipt of such prepayment; provided that the amount of any such prepaid Assessment which is less than \$5,000 and can not be

used by such interest payment date to redeem Bonds may be used to pay principal of or interest on the Bonds due on such interest payment date; and provided further that all or any portion of such prepaid Assessment may be used to pay principal of or interest on the Bonds if necessary to avoid or cure a default in payment of principal of or interest on the Bonds. The Paying Agent shall not be required to give notice of any such prior redemption unless it has received written instructions from the City in regard thereto at least 60 days prior to such redemption date.

The Bonds shall be subject to mandatory sinking fund redemption to the extent provided in the Certificate of the City Finance Director. Not more than sixty days nor less than forty-five days prior to each such sinking fund redemption date, the Registrar shall proceed to call the Bonds so designated for mandatory prior redemption from such sinking fund on the next sinking fund redemption date, and shall give notice of such call without further instruction or notice from the City.

At its option, to be exercised on or before the sixtieth day next preceding each sinking fund redemption date, the City may (i) deliver to the Registrar for cancellation, Bonds of the appropriate maturity in an aggregate principal amount desired by the City or (ii) specify a principal amount of Bonds of the appropriate maturity which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and cancelled by the Registrar or the Paying Agent and not theretofore applied as a credit against any sinking fund redemption obligation. Each such Bond or portion thereof so delivered or previously redeemed will be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on such sinking fund redemption date and any excess over such amount shall be credited against future sinking fund redemption obligations for the Bonds of that maturity in chronological order or any other order specified by the City. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the Bonds to be cancelled or evidence thereof satisfactory to the Registrar.

In the case of Bonds of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion

thereof. Unless waived by the registered owner of a Bond to be redeemed, notice of redemption shall be given by the Registrar in the name of the City by mailing such notice at least thirty days and not more than sixty days prior to the redemption date, by first-class mail, postage prepaid, to the registered owners (initially Cede & Co.) of the Bonds to be redeemed at their addresses as shown on the registration records. Failure to give such notice to the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. All such notices of redemption shall be dated and shall state: (i) the redemption date, (ii) the redemption price, (iii) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (iv) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (v) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent. After such notice has been given in the manner hereinbefore provided, the Bond or Bonds called for redemption shall become due and payable on the designated redemption date, and upon presentation and surrender thereof the City will pay the Bond or Bonds called for redemption. Installments of interest due on the redemption date shall be payable as herein provided for payment of interest. A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the Bondholder of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Section 5. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, each of the Bonds shall be signed and executed in the name of the City with the manual or facsimile of the signature of the Mayor, countersigned with the manual or facsimile of the signature of the City Treasurer, shall be attested with the manual or facsimile of the signature of the City Clerk and the seal of the City or a facsimile thereof shall be affixed thereto. The Bonds bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City (subject to the requirement of authentication by the Registrar as hereinafter provided) notwithstanding that

before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign any Bond at the time of its execution and of the execution of a signature certificate may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the Bond. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the manual signature of the Registrar (or a duly authorized officer thereof), and such certificate of authentication of the Registrar upon any Bond shall be the only competent evidence that such Bond has been duly issued and delivered. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar shall direct the Paying Agent to pay such Bond in lieu of replacement.

Section 6. Records for the registration and transfer of the Bonds shall be kept by the Registrar. A Bond shall be fully transferable by the registered owner thereof in person or by his or her duly authorized attorney on the registration records kept at the office of the Registrar upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon the surrender for transfer of any Bond at the principal office of the Registrar, duly endorsed for transfer or accompanied by an assignment (in form satisfactory to the Registrar) duly executed by the registered 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, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar for an equal aggregate principal amount of Bonds of other authorized denominations. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer or exchange, and may charge a sum sufficient to pay the cost of preparing and

authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from a redemption of a portion of a Bond. The Registrar shall not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part as herein provided.

Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, such Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar.

The person in whose name a Bond shall be registered on the registration records kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and neither the City, the Paying Agent nor the Registrar shall be affected by any notice to the contrary. Payment of principal of, premium, if any, and interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his or her legal representative (except as provided above for the payment of interest to the registered owner as of the Record Date or a Special Record Date). 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.

The foregoing provisions of this Section are subject to the provisions of Section 8 hereof.

Section 7. Subject to the registration provisions hereof, the Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code -- Investment Securities.

Section 8. Notwithstanding the provisions of Sections 4 through 6 hereof, the Bonds shall initially be evidenced by one Bond for each year in which 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 ("DTC"), the securities depository for the Bonds. So long as the

Bonds are held by DTC, the Paying Agent, the Registrar and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of, premium, if any, and interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to the registered owners under this Ordinance, registering the transfer of such Bonds, obtaining any consent or other action to be taken by the registered owners and for all other purposes whatsoever, and neither the Paying Agent, the Registrar nor the City shall be affected by any notice to the contrary. Neither the Paying Agent, the Registrar nor the City shall have any responsibility or obligation to any DTC participant or indirect participant, any beneficial owner of the Bonds, or any other person which is not shown on the registration records of the Registrar as being a registered owner with respect to the accuracy of any records maintained by DTC or any DTC participant or indirect participant; the payment by DTC or any DTC participant or indirect participant of any amount in respect of the Bonds; any notice which is permitted or required to be given to the registered owners under this Ordinance; the selection by DTC or any DTC participant or indirect participant of any person to receive payment in the event of a partial redemption of the Bonds or any consent given or other action taken by DTC as owner. After such initial issuance of the Bonds, the Bonds may not thereafter be transferred or exchanged except:

A. to any successor of DTC 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

B. upon the resignation of DTC or a successor or new depository under paragraph A or this paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable 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 DTC or such successor or new depository; or

C. upon the resignation of DTC or a successor or new depository under paragraph A or paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, within 90 days thereafter to locate another qualified depository institution under paragraph B to carry out such depository functions or upon a determination by the City that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain Bond certificates and the delivery by the City of written notice thereof to the Registrar and the Paying Agent.

In the case of a transfer to a successor of DTC or its nominee as referred to in paragraph A above or designation of a new depository pursuant to paragraph B above, upon receipt of the Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond 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 paragraph C above and, if applicable, the failure after reasonable investigation within 90 days thereafter to locate another qualified depository institution for the Bonds as provided in paragraph C above, and upon receipt of the 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 and any integral multiple thereof, as provided in Section 3 hereof, registered in the names of such persons and in such denominations as are requested in such written transfer instructions; provided, 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.

The City, the Registrar and the Paying Agent shall endeavor to cooperate with DTC or any successor or new depository named pursuant to paragraph A or B above in effectuating payment of the principal of, premium, if any, and interest on 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.

Upon any partial redemption of any of the Bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final

maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

Section 9. Pursuant to NRS 271.505, the Bonds shall contain a recital that they are issued pursuant to Chapter 271, Nevada Revised Statutes, which recital shall conclusively impart full compliance with all of the provisions of the Act, and all Bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 10. 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 or 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)

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any certificate 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.

UNITED STATES OF AMERICA

STATE OF NEVADA CITY OF LAS VEGAS

NO. R-_____ \$_____

CITY OF LAS VEGAS, NEVADA

SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA)

LOCAL IMPROVEMENT BOND

SERIES JULY 1, 1996

Interest Rate Maturity Date Dated as of CUSIP Number

___% per annum _____ July 1, 1996

REGISTERED OWNER

PRINCIPAL AMOUNT DOLLARS

City of Las Vegas, Nevada (the "City"), for value received, hereby promises to pay, out of funds available for that purpose as hereinafter set forth, to the registered owner specified above or registered assigns the principal amount specified above on the maturity date specified above (unless this Bond shall have been called for prior redemption, in which case on such redemption date) and to pay solely from such available funds interest hereon at the interest rate per annum specified above, said interest being payable on

June 1 and December 1 in each year, commencing December 1, 1996. 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. Both principal and interest are payable in lawful money of the United States of America without deduction for exchange or collection charges. The principal of this Bond shall be payable to the person in whose name this Bond is registered (the "registered owner") on the registration records maintained by the registrar of the City, presently the City Treasurer in Las Vegas, Nevada, (the "Registrar"), upon presentation and surrender of this Bond as it becomes due. The interest hereon shall be paid by check mailed by the paying agent of the City, presently the City Treasurer in Las Vegas, Nevada (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 registered owner at his or her address as it last appears on the registration records kept for that purpose by the Registrar on the fifteenth day of the calendar month preceding the calendar month in which such interest payment date occurs or on a special record date established by the Registrar for the payment of defaulted interest. Alternative means of payment of interest may be used if mutually agreed to between the registered owner of this Bond and the Paying Agent. If, upon presentation and surrender to the Paying Agent at maturity or prior redemption, payment of this Bond is not made as herein provided, interest hereon shall continue at the same rate per annum until the principal hereof is paid in full. Interest on this Bond shall be calculated based on a 360-day year consisting of twelve 30-day months.

This Bond is one of a series of bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996" (the "Bonds") issued by the City in the aggregate principal amount of \$40,000,000 for the purpose of providing funds to pay the cost and expenses of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") within the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) (the "District"). The Bonds have been authorized and issued pursuant to an ordinance (the "Ordinance") duly adopted by the City Council and the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes (the "Act").

The Bonds are subject to redemption at the option of the City from

any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such a manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium computed in accordance with the following schedule:

<u>Redemption Period</u>	<u>Redemption Premium</u>
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

The Bonds maturing December 1, _____ are subject to mandatory sinking fund redemption as provided in the Ordinance at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date. The Bonds to be so redeemed shall be selected by lot in such manner as the Registrar shall determine (giving proportionate weight to Bonds in denominations larger than \$5,000).

Redemption shall be made upon not less than thirty days' prior notice by mailing to the registered owner of each Bond to be redeemed at the address shown on the registration records in the manner and upon the conditions provided in the Ordinance.

Upon any partial prior redemption of this Bond, Cede & Co., in its discretion, may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment.

Pursuant to the Ordinance, the payment of the principal of, premium, if any, and interest on the Bonds shall be made from and as security for such payment there is pledged, a special fund designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund" (the "Bond Fund") containing the receipts upon the collection thereof from the special assessments (the "Assessments") levied against and secured by a lien upon the property in the District specially benefited by the Project,

which fund shall be used for the full and prompt payment of the Bonds and the interest thereon, and shall be used for no other purpose whatsoever except as permitted by the Ordinance. Whenever there is a deficiency in the Bond Fund, the deficiency must be paid out of the special fund designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund" in the priority specified in the Ordinance (the Assessments, the Bond Fund, the Bond Reserve Fund, such other special funds collectively, the "Trust Estate"). Pursuant to NRS § 271.477, the Bonds are not payable from the sources identified in NRS § 271.495 and 271.500.

Pursuant to the Ordinance, the Trust Estate has been irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessments shall constitute a first and exclusive lien on the Assessments for the foregoing purposes in accordance with the terms of the Ordinance; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

The City Treasurer shall collect, receive and enforce the payment of all Assessments made and levied for the Project, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Ordinance, the Financing Agreement and the other proceedings of the City relating thereto.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 and any integral multiple thereof. Upon surrender of any Bond at the principal office of the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his or her duly authorized attorney, and receipt by the Registrar of the fees and charges provided in the Ordinance, such Bond may be exchanged for an equal aggregate principal amount of Bonds of other authorized denominations, subject to the terms and conditions set forth in the Ordinance.

*This Bond is fully transferable by the registered owner hereof 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, and upon the payment of the fees and charges provided in the Ordinance. Upon such

transfer a new fully registered Bond or Bonds of authorized denomination or denominations of the same aggregate principal amount will be issued to the transferee in exchange for this Bond, subject to the terms and conditions set forth in the Ordinance.*

The Registrar will not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part.

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

The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Ordinance with respect to Record Dates and Special Record Dates for the payment of interest) and for all other purposes, and neither the City, the Registrar nor the Paying Agent shall be affected by any notice to the contrary.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be modified or amended by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this Bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of the Bonds does not exceed the amount authorized by law nor the total unpaid special assessments levied to cover the cost of the Project; that this Bond is issued under the authority of the Act and that this Bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings with reference to the Project, the levying of the assessments to pay the cost and expense of the Project and the issuance of the Bonds have been regularly had and taken in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property

benefited by the Project and of the liability of the owner or owners of such property therefor have been performed.

This Bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

IN WITNESS WHEREOF, the City of Las Vegas, Nevada has caused this Bond to be signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, to be countersigned with the manual or facsimile signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the manual or facsimile signature of the City Clerk, has caused the seal of the City or a facsimile thereof to be affixed hereon, and has caused this Bond to be dated as of the date specified above.

(For Manual or Facsimile Signature)

Mayor

(For Manual or Facsimile Signature)

City Treasurer

(MANUAL OR FACSIMILE SEAL)

Attested:

(For Manual or Facsimile Signature)

City Clerk

* Insert only if Bonds are delivered pursuant to paragraph C of Section 8 of this Ordinance.

** Insert only if Bonds are initially delivered to The Depository Trust Company pursuant to the first paragraph of Section 8 of this Ordinance.

(Form of Registrar's Certificate of Authentication)

Date of Registration: _____

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

CITY TREASURER, CITY
OF LAS VEGAS, NEVADA, as Registrar

By _____ (Manual Signature)

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

** (Form of Prepayment Panel)

The following installments of principal (or portions thereof) of this Bond have been prepaid in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

	Signature of
Date of	Principal Authorized
<u>Prepayment</u>	<u>Prepaid Representative of DTC</u>

(End of Form of Prepayment Panel)**

(Form of Assignment Provision)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ to transfer the within Bond on the records kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatever. The signature must be guaranteed by an eligible guarantor institution as defined in 17 CFR § 240.17 Ad-15(a) (2).

Signature Guaranteed:

Address of Transferee:

Social Security or other tax
identification number of
transferee:

(End of Form of Assignment)

(Form of Legal Opinion Certificate)

STATE OF NEVADA)

) ss. LEGAL OPINION CERTIFICATE

CITY OF LAS VEGAS)

The undersigned, City Clerk of City of Las Vegas, Nevada, does hereby certify that the following approving legal opinion of Swendseid & Stern, a member in Sherman & Howard L.L.C., Attorneys at Law, Las Vegas, Nevada:

(Attorneys' opinion is to be inserted in submargins, including a complimentary closing and "/s/ Swendseid & Stern, a member in Sherman & Howard L.L.C.)"

is a true, perfect, and complete copy of a manually executed and dated copy thereof on file in the records of the City Clerk in my office; that a manually executed and dated copy of the opinion was forwarded to a representative of the original purchaser of the Bonds for retention in its records; and that the opinion was dated and issued as of the date of delivery of and payment for the Bonds.

IN WITNESS WHEREOF, I have caused to be hereunto affixed a facsimile of my signature.

(Facsimile Signature)

City Clerk

(End of Form of Legal Opinion Certificate)

Section 11. When the Bonds have been duly executed and authenticated, they shall be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized by the City from the sale of the Bonds (net of the Purchaser's discount) shall be applied as follows:

(a) An amount equal to accrued interest on the Bonds from July 1, 1996 until delivery of the Bonds, shall be deposited in a special fund to be held by the City Treasurer and hereby created, to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund".

(b) An amount equal to the minimum reserve requirement shall be deposited in a special fund to be held by the City Treasurer and hereby created, to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund."

(c) The remainder of such proceeds shall be deposited in a special account to be held by the City Treasurer hereby created and to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Construction Fund".

There are also hereby created the following special funds and accounts to be held by the City Treasurer and designated as:

(a) "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Administration Fund".

(b) "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund".

(c) City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Extraordinary Maintenance Repair and Improvement Account."

The Purchaser shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale of the Bonds or of any other funds herein designated.

Amounts in all of such funds and account may be invested by the City in securities which are permitted investments for City funds under Chapter 355 of NRS. Investment income remains in such funds or account unless otherwise provided herein.

Section 12. The Construction Fund shall be a special trust fund held by the City Treasurer. All money in the Construction Fund shall be applied by the City for the payment of cost (as defined in the Act) of the acquisition and improvement of the Project, which includes the payment of the costs of issuance of the Bonds, all in accordance with the Financing Agreement. The amount of any income realized from the investment of the money in the Construction Fund shall be retained in the Construction Fund or, at the option of the City, transferred to the Rebate Fund. When the acquisition and improvement of the Project have been completed, the City shall either (i) transfer any remaining balance of money in the Construction Fund to the Bond Fund or (ii) retain such balance in the Construction Fund to be applied for the payment of the cost of any additional projects permitted by the Act and agreed to by the City and the Developer pursuant to the Financing Agreement. Any such moneys transferred to the Bond Fund shall be credited against the Assessment Installments to become due and payable, with an appropriate payment to the owner of any assessed parcel whose Assessment has been paid in full.

Section 13. The City Treasurer is authorized, empowered and directed, and it shall be his or her duty, to receive, collect and enforce the payment of all Assessments made and levied for the Project, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to the person or persons entitled thereto pursuant to the provisions of this Ordinance, the Financing Agreement and the Act. All moneys received from the Assessments, both principal and interest, shall be deposited in the Bond Fund (except to the extent required to replenish the Bond Reserve Fund). All moneys deposited in the Bond Fund shall be used as soon as the funds are available for the purpose of paying the principal of and the interest and prior redemption premiums on the Bonds as they become due and payable, and (except as herein and in the Financing Agreement provided) for no other purpose whatsoever, and the Bond Fund is hereby pledged as security for such purposes. Interest and other gain on moneys in the Bond Fund shall (i) prior to the completion of the acquisition and improvement of the Project (including any additional projects pursuant to Section 12 hereof) be transferred quarterly to the Construction Fund and (ii) after such completion be retained

in the Bond Fund. Notwithstanding the foregoing, after June 1 of each fiscal year the interest portion of the Assessment Installments that is not used to pay the principal and interest on the Bonds shall be transferred from the Bond Fund to the Administration Fund and used to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project and for certain other purposes, all as provided in Section 2.5 and Section 2.7B of the Financing Agreement. The Bonds and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection of the Assessments and from the remainder of the Trust Estate. Pursuant to NRS 271.477, the Bonds are not payable from the sources identified in NRS 271.495 and 271.500.

Section 14.

A. Whenever there is a deficiency in the Bond Fund, the deficiency shall be paid from amounts in the Bond Reserve Fund. The Bond Reserve Fund shall be a special trust fund held by the City Treasurer as a continuing reserve to secure the payment of the Bonds by meeting possible deficiencies in the payment of the principal of and the interest on the Bonds resulting from the failure to deposit into the Bond Fund sufficient funds to pay the principal and interest on the Bonds as the same accrue. The City hereby pledges the Bond Reserve Fund for such purpose.

B. An amount equal to the minimum reserve requirement shall be deposited to the Bond Reserve Fund from the proceeds of the Bonds. The Bond Reserve Fund will be used as additional security for the Bonds to pay any principal and interest on the Bonds when due, if the payments of the Assessment Installments are insufficient for that purpose.

C. All amounts in the Bond Reserve Fund in excess of the minimum reserve requirement, derived from interest earned on amounts in the Bond Reserve Fund or otherwise shall be applied to the following in the following order of priority:

(1) First, when needed to pay the principal of and interest on the Bonds then due to the extent not provided from Bond proceeds including accrued interest or from the Assessment Installments and interest. Interest used under this clause to pay the principal of and interest on the Bonds shall be applied before a withdrawal is made from the balance in the Bond Reserve Fund.

(2) Second, when needed for transfer to the Administration Fund to pay all administrative and other expenses of the City associated with the Project, the Bonds or the Assessments.

(3) Third, at the time of any prepayment of any Assessment, to provide any refund then owed under paragraph E of this section.

(4) Fourth, at least annually commencing after the April 1, 1998 Assessment payment, used to call Bonds prior to their stated due dates or held in an account for payment of the Bonds at or prior to their due dates, whichever the Treasurer determines is in the financial best interests of the City. No funds shall be applied as provided in this clause 4 unless they have been held in the Bond Reserve Fund for at least one year.

D. If because of any delinquent Assessment an amount is withdrawn from the Bond Reserve Fund to pay the principal of or interest on the Bonds, and that Assessment is later paid in whole or in part (or amounts are received at a foreclosure sale or otherwise as a result of enforcing the payment of the delinquent Assessment), to the extent available from that payment of the delinquent Assessment (including penalty and interest but after payment of costs of collection), an amount equal to the greater of (i) the amount withdrawn plus interest at the Assessment interest rate, or (ii) the amount necessary to restore the Bond Reserve Fund to the minimum reserve requirement, shall be paid to the Bond Reserve Fund from the payment of the delinquent Assessment.

E. Except as provided in the succeeding sentence, at the time the Assessment against any parcel of property is voluntarily paid in full, the person who owned the property at the time of the payment in full shall be entitled to a refund, in cash, equal to that property's pro rata share of the balance then in the Bond Reserve Fund, and the minimum reserve requirement shall be recalculated to reflect the payment in full of that Assessment. Such refund, in cash or otherwise, shall be made only to the extent the balance in the Bond Reserve Fund after making the refund would not be less than the minimum reserve requirement, as recalculated, but if this structure prevents all or a part of such a refund, that refund (or, an additional partial refund, as the case may be) shall be made if and when money is available in the Bond Reserve Fund to make the payment and as otherwise provided in paragraph C of this section. This section does not prevent the City from amending this Ordinance, the Assessment Ordinance or any other documents executed in

connection with the Bonds to provide for other uses of the Bond Reserve Fund in connection with a refunding of the Bonds and the owners of the property assessed in the District have no entitlement to any amounts in the Bond Reserve Fund in the event of such an amendment.

Section 15. The Trust Estate is hereby irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds as set forth in Section 13 hereof, and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessment Installments shall constitute a first and exclusive lien on the Assessment Installments for the foregoing purposes in accordance with the terms hereof; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

Section 16. There shall be deposited into the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund" any amounts paid by the City for deposit therein. The Rebate Fund shall be held by the City Treasurer, but shall not constitute part of the Trust Estate. Notwithstanding any other provision of this Ordinance or of the Financing Agreement, any investment income or other gain on moneys in the Construction Fund, the Bond Fund or the Bond Reserve Fund may be transferred to the Rebate Fund to enable the City to satisfy the requirements of Section 148(f) of the Code. Moneys in the Rebate Fund shall be paid to the United States by the City in the amounts and at the times required by the Code. Any excess moneys contained in the Rebate Fund shall be transferred to the Bond Fund. Upon payment of all amounts due to the United States pursuant to Section 148 of the Code, any moneys remaining in the Rebate Fund shall be transferred to the City's general fund. Moneys in the Rebate Fund are not part of the Trust Estate.

Section 17. So long as any of the Bonds remain outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of the Assessment Installments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Construction Fund, the Bond Fund, the Bond Reserve Fund and the Rebate Fund, and covering the payment of the principal of, premium, if any, and interest on the Bonds. The

City will permit an inspection and examination of all records and accounts at all reasonable times by a representative of the Purchaser.

Section 18. Promptly upon a default in the due and punctual payment of any Assessment Installment due hereunder and under the Assessment Ordinance, the City Treasurer shall mark the Assessment Installment delinquent on the assessment roll for the District and shall notify the delinquent person of such delinquency in writing. Unless such Assessment Installment plus accrued interest and penalties thereon have been paid in full, within sixty days thereafter the Council shall direct the Treasurer of the City to give notice of the sale of the property subject to the lien of the delinquent Assessment Installment, or all of the Assessment with respect to such property if the Council has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), and shall sell such property as provided in and pursuant to the Act. In the event that the owner of such property does not prior to the day of sale pay the amount of all delinquent Assessment Installments, with accrued interest thereon and penalties and costs of collection (as further provided in the Assessment Ordinance) and such property is not sold to a third party purchaser at such sale, the property may be stricken off to the City and held in trust for the benefit of the District pursuant to the Act. Alternatively, the City may proceed with the collection or enforcement of any delinquent Assessment Installment, or the whole amount of the unpaid Assessment with respect to such property if the City has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), by a foreclosure action brought in the district court located in and for the City. All proceedings supplemental to the judgment in any such foreclosure action, including appeal, period of redemption, sale and the issuance of a deed, shall be conducted in accordance with the law relating to property sold upon foreclosure of mortgages or liens upon real property, except that there shall be no personal liability upon the defendants for any deficiency in the proceeds of such sale.

Upon the sale of or foreclosure upon the real property which is the subject of such delinquent Assessment Installment, or upon the owner of such property paying prior to the date of sale the amount of all delinquent Assessment Installments, or after the date of sale all delinquent Assessment

Installments or all of the Assessment if the Council has exercised its option referred to above, accrued interest thereon, penalties and costs of collection, the City shall deposit such moneys received in the Bond Fund or as otherwise required by the Financing Agreement.

Section 19. Upon a default in the due and punctual payment of an Assessment Installment and if sale or foreclosure proceedings are not promptly filed and diligently prosecuted by the City, then any registered owner may:

A. file and prosecute a foreclosure action in the name of the City; and

B. proceed against the City to protect and enforce the rights of the registered owners under the Act or hereunder by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provisions contained in the Act or herein or in an award of execution of any power granted for the enforcement of any proper legal or equitable remedy as such registered owner may deem most effectual to protect and enforce the rights aforesaid.

All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all registered owners of the Bonds then outstanding. The failure of the registered owners so to foreclose upon the property which is the subject of such delinquent Assessment Installment, or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of its duty so to take the actions set forth in Section 18.

Section 20. The City covenants for the benefit of the registered owners of the Bonds to comply with the provisions of the Continuing Disclosure Certificate in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith which the Mayor is authorized and directed to execute. The City shall enter into the Continuing Disclosure Agreement with the Developer in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith. The Mayor is hereby authorized and directed to execute the Disclosure Agreement and the City Clerk is hereby authorized and directed to affix the seal of the City to and to attest the Disclosure Agreement.

Section 21. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

A. The printing of the Bonds, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar; and

B. The printing and distribution of the final official statement for the Bonds in substantially the form of the Preliminary Official Statement heretofore approved by the Council, but with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith; and

C. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bonds, the tenure and identity of the officials of the Council and the City, the delivery of the Bonds, the receipt of the purchase price for the Bonds, the exemption of interest on the Bonds from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of the Act, as hereafter amended and supplemented from time to time.

Section 22. The City covenants for the benefit of the registered 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 Section 103 of the Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the 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 Code have been met.

Section 23. The City covenants for the benefit of the registered owners of the Bonds that it will use its best efforts to apportion the Assessments in accordance with the Report heretofore filed with the City unless the Council determines that another method of apportionment is appropriate. The Council's determination that the apportionment is in accordance with the Report or is otherwise appropriate shall be conclusive and binding upon the owners of the property and the owners of the Bonds. The Council's approval of an apportionment report shall be deemed conclusively to constitute a finding that the apportionment is in accordance with the Report or is otherwise appropriate.

Section 24. The Council hereby finds and determines that the condition to the City's obligations under the Financing Agreement set forth in Section 3.18 thereof (i.e., receipt and review of an appraisal indicating a value of at least \$126,500,000) has been satisfied.

Section 25.

A. This Ordinance may be amended or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of not less than sixty-six per cent (66%) of the Bonds outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

(1) An extension of the maturity of any Bond authorized by this Ordinance; or

(2) A reduction in the principal amount of any Bond or the rate of interest thereon; or

(3) The creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or

(4) A reduction of the principal amount of Bonds required for consent to such amendatory or supplemental ordinance.

B. The City may, without the consent of or notice to the owners, adopt one or more ordinances supplemental hereto, which supplemental ordinances shall thereafter form a part hereof, for any one or more of the following purposes:

(1) To cure any ambiguity, or to cure, correct or supplement any formal defect or omission or inconsistent provision contained in this ordinance, to make any provision necessary or desirable due to a change in law, to make any provisions with respect to matters arising under this ordinance, or to make any provisions for any other purposes if, in each case, such provisions are necessary or desirable and do not adversely affect the interests of the owners of the Bonds.

(2) To pledge additional revenues, properties or collateral as security for the Bonds.

(3) To grant or confer upon the Registrar or Paying Agent for the benefit of the owners of the Bonds any additional rights, remedies, power or authorities that may lawfully be granted to or conferred upon the owners.

Section 26. 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 registered owner 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 or person serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution or person serve as both Registrar and Paying Agent hereunder.

Section 27. An amount of City monies equal to \$57,015.85, which the council determines to be the amount required by NRS 354.6105, shall be deposited in the Extraordinary Maintenance, Repair and Improvement Account, which is a special account of the City fund created pursuant to NRS 354.6105. The Extraordinary Maintenance, Repair and Improvement Account shall be a special account held by the City Treasurer, but shall not constitute part of the Trust Estate. All money in the Extraordinary Maintenance, Repair and Improvement Account shall be applied by the City for the purposes permitted by NRS 354.6105. The amount of any income realized from the investment of the money in the Extraordinary Maintenance, Repair and Improvement Account shall be retained in the Extraordinary Maintenance, Repair and Improvement Account or, at the option of the City and to the extent permitted by law, transferred

to the Rebate Fund. If the maintenance of the Extraordinary Maintenance, Repair and Improvement Account is no longer required by NRS 354.6105 or any successor law, the balance shall be transferred to the Rebate Fund or the Bond Fund as determined by the City or as otherwise required by law.

Section 28. The Administration Fund shall be a special fund held by the City Treasurer, but shall not constitute part of the Trust Estate. All money in the Administration Fund shall be to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project. The amount of any income realized from the investment of the money in the Administration Fund shall be retained in the Administration Fund or, at the option of the City and to the extent permitted by law, transferred to the Rebate Fund.

Section 29. Section 2 of the Assessment Ordinance is hereby amended to read as follows:

Section 2. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District, as filed in the office of the City Clerk on May 15, 1996, and as supplemented on May 21 and 24, 1996, the amounts and assessments shown in the assessment roll (as so filed and confirmed). The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as heretofore determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 30. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 31. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution.

Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and 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 the 5th day of June, 1996, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on the 19th day of June, 1996.

/s/Kathleen Tighe

City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 32. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF ADOPTION OF ORDINANCE)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the 5th day of June, 1996, and was passed at the meeting held on the 19th day of June, 1996, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the ____ day of June, 1996, 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 19th day of June, 1996.

/s/ Jan Laverty Jones

Mayor

Attest:

/s/ Kathleen Tighe

City Clerk

(End of Form of Publication)

Section 33. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

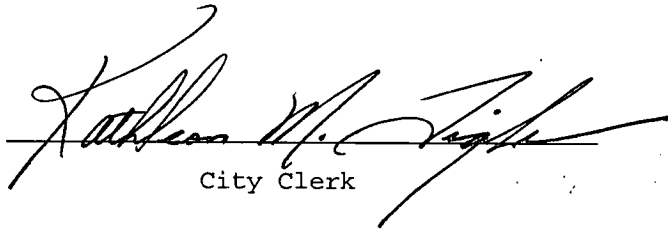
Proposed on the 5th day of June, 1996.

Proposed by Council member Arnie Adamsen

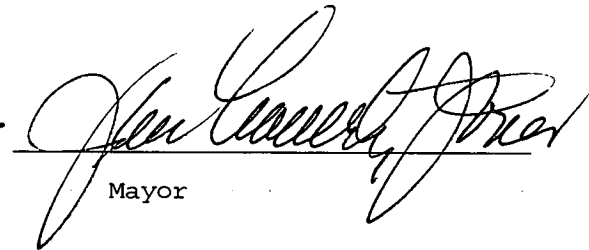
Vote:

Those Voting Aye:	Arnie Adamsen
	Matthew Q. Callister
	Gary Reese
Those Voting Nay:	NONE
Those Absent:	Jan Laverty Jones
	Michael J. McDonald

Attest:



City Clerk



Mayor

This Ordinance shall be in force and effect from and after the 22 day of June, 1996, i.e., the date after the publication of such Ordinance by its title only.

Approved as to form:

 6/27/96

Date

STATE OF NEVADA

)

) SS.

CITY OF LAS VEGAS

)

I, Kathleen M. Tighe, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages -1- through -40-, excerpts from the minutes of a regular meeting of the Council of City Council of City of Las Vegas (the "Council") held on June 5, 1996, and June 19, 1996, constitute a true, correct, complete and compared copy of the proceedings of the Council so far as such minutes relate to an ordinance concerning Special Improvement District No. 707 (Summerlin Area), a copy of which is set forth in such minutes.

2. The copy of the ordinance is a true, correct, complete and compared copy of the original introduced at such meeting.

3. The foregoing Ordinance was first proposed and read by title to the City Council on the 5th day of June, 1996, and referred to a committee composed of Councilman Adamsen and Mayor Jones for recommendation; thereafter the said committee reported favorably on said Ordinance on the 19th day of June, 1996, 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 June 19, 1996 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye: Arnie Adamsen

Matthew Q. Callister

Gary Reese

Those Voting Nay: NONE

Those Absent: Jan Laverty Jones

Michael J. McDonald

4. All members of the Council were given due and proper notice of the meetings. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting:

5. By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:

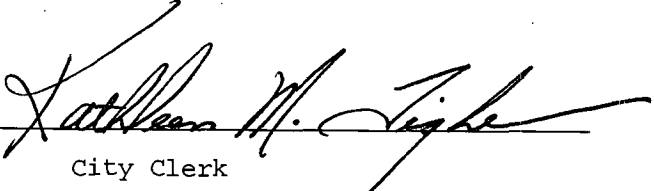
- (a) City Hall
Las Vegas, Nevada
- (b) Senior Citizens Center
Las Vegas, Nevada
- (c) Clark County Government Center
Las Vegas, Nevada
- (d) Downtown Transportation Center
Las Vegas, Nevada

and

6. By mailing a copy of the notice 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.

7. A copy of such notice of such meetings as posted and mailed is attached hereto as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this JUNE 19, 1996.


City Clerk

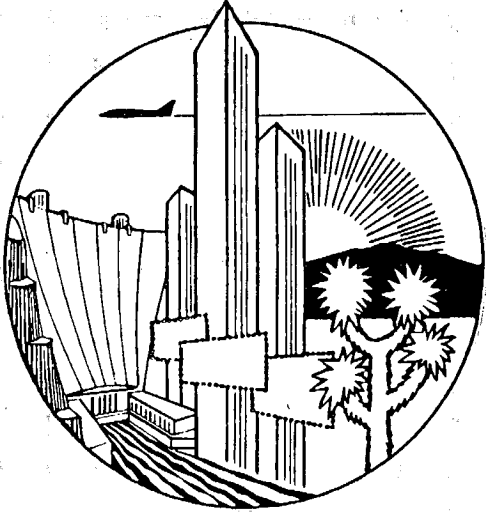
(SEAL)

EXHIBIT A

(Notice of June 5, 1996
City Council Meeting)

City of Las Vegas

400 E. STEWART AVE.
LAS VEGAS, NV 89101



AGENDA

**POSTMASTER:
CONTAINS DATED MATERIAL
REQUESTED BY ADDRESSEE**

TO:

AGENDA

City of Las Vegas

CITY COUNCIL

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

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

JUNE 5, 1996

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.**

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 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 Chester Richardson, Second Baptist Church
- PLEDGE OF ALLEGIANCE
- INTRODUCTION OF CORPORATE CHALLENGE MEDAL WINNERS, CAPTAINS AND STEERING COMMITTEE.
- PROCLAMATION PROCLAIMING JUNE 15, 1996, AS BREAST CANCER AWARENESS DAY.

II. BUSINESS ITEMS

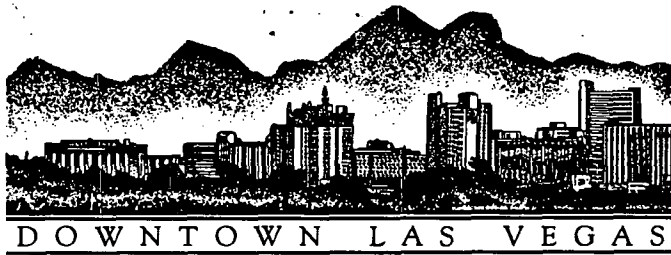
1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.
2. Approval of the Final Minutes by Reference of the Regular City Council Meeting of 5/1/96.

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.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

3. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Discussion And Possible Action Regarding Transfer Of Budget Appropriations



City of Las Vegas Redevelopment Agency
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
PHONE 229-6100

June 5, 1996

9:00 A.M.

(Following Morning Session of City Council Meeting)

AGENDA

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE UNLV GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

- I. CALL TO ORDER
- II. ANNOUNCEMENT RE: COMPLIANCE WITH THE OPEN MEETING LAW
- III. APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF MAY 15, 1996 AND SPECIAL BUDGET MEETING OF MAY 25, 1996.
- IV. NEW BUSINESS
 - A. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE EXTENSION OF THE CONTRACT WITH CONVERSE ENVIRONMENTAL CONSULTANTS SOUTHWEST, INC. FOR GROUND WATER CLEAN-UP AT THE PROPOSED FEDERAL COURTHOUSE SITE.
 - B. RA-2-96 - DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION TO AUGMENT THE SPECIAL REVENUE FUND FOR THE REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 1995-96
 - C. DISCUSSION AND POSSIBLE ACTION REGARDING TRANSFER OF BUDGET APPROPRIATIONS

V. CITIZEN PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISION OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A REDEVELOPMENT AGENCY MATTER NOT LISTED ON THE AGENDA, PLEASE STEP UP TO THE PODIUM AND CLEARLY STATE YOUR NAME AND ADDRESS. PLEASE LIMIT YOUR REMARKS TO THOSE MATTERS UNDER THE EXPRESS JURISDICTION OF THE DOWNTOWN REDEVELOPMENT AGENCY. 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.

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

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

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

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on May 16, 1996)

Family Homes

5. MICHAEL GAWRELUK III, 2228 La Sombra Street, 6 children days
6. MARY LAFLIN, 6556 Castor Tree Way, 3 children days/2 nights
7. MADELEINE MONTANO, 6601 Tampa Court, 5 children days/2 nights/1 before & after school
8. VIRGINIA OLDHAM, 3124 Jansen Avenue, 5 children days

Centers

9. CHILDREN'S WORLD LEARNING CENTER, INC., dba CHILDREN'S WORLD LEARNING CENTER, 2861 Business Park Court, 159 children days, Center/Preschool/Nursery, Richard W. Turpenoff, V.P. of Operations, John E. Rosen, V.P. of Real Estate, Beverly A. O'Connell, District Manager, Christine Barragan, Center/Preschool Nursery Director

SPECIAL EVENT LIQUOR LICENSES

10. HALAU O MOANI KE'ALA, Location: Sammy Davis Jr. Amphitheater, Lorenzi Park, Date: June 14, 1996, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Tammy Silve
11. LAS VEGAS HAWAIIAN CIVIC CLUB, Location: Sammy Davis Jr. Amphitheater, Lorenzi Park, Date: June 15, 1996, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Ruth Auwae

LIQUOR -- New

12. BEER/WINE/COOLER ON-SALE LICENSE, DEE LEE, INC., dba MARIE CALLENDERS RESTAURANT & BAKERY, 3081 North Rainbow, Bridget E. Williams, Dir, Pres, Secy, 50%, Jeffrey D. Williams, Dir, Treas, 50%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Change of Ownership

13. TAVERN LICENSE, From: Mt. Charleston Distributors, Inc., TO: JJ & AM INCORPORATED, dba TOD'S TAVERN, 7 East Bonanza, Juda Joselvitch, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Change of Ownership/Change of Business Name

14. TAVERN LICENSE, From: KSS, Inc., dba Cousins Cafe, TO: S.C.R. CAFES, INC., dba ROCKY COLA CAFE, 1617 South Decatur, Rickey Lee Snyder, Dir, Pres, 33 1/3%, Sheldon Rocker, Dir, Secy, 33 1/3%, Wallace Lee Curry, Dir, CFO, 33 1/3%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Approval of Officer/Director

15. TAVERN LICENSE, SAM-WILL, INC., dba FREMONT HOTEL & CASINO, 200 Fremont Street, John V. Buchanan, V.P., General Manager

LIQUOR -- Approval of Franchise Managers

16. BEER/WINE/COOLER OFF-SALE LICENSE, SOUTHLAND CORPORATION, dba 7-ELEVEN FOOD STORE #26627, 3501 East Bonanza, Richard J. Davies, Franchise Manager and Linda C. Davies, Franchise Manager, 100% jointly as husband & wife
17. BEER/WINE/COOLER OFF-SALE LICENSE, SOUTHLAND CORPORATION, dba 7-ELEVEN FOOD STORE #20687, 1600 North Rancho, Thomas L. Davis, Franchise Manager, 100%

GAMING -- New

18. RESTRICTED GAMING: 2 slots, TIMOTHY INGSTAD, dba NEW YORK CITY PIZZA, 1553 North Eastern, Timothy L. Ingstad, 100%, Approved by the Nevada Gaming Commission on May 23, 1996

AUCTIONEER LICENSE -- Change of Ownership/Change of Location

19. From: Brian Myers Auction Group, 3016 South Valley View Blvd., TO: BRIAN MYERS AUCTION GROUP, INC., dba BRIAN MYERS AUCTION GROUP, 5670 W. Flamingo, #C, Brian Myers, Pres, 100%

BURGLAR ALARM LICENSE - New

20. BEST HOME THEATERS, INC., dba BEST HOME THEATERS, INC., 3230 Polaris #12, William A. Schaff, Pres, 100%, Wilbur A. Schaff, Lendor of Money

LOCKSMITH LICENSE -- New

21. BRUCE GWIN, dba VEGAS VALLEY LOCKING SYSTEMS, 2969 South Highland Drive, Bruce D. Gwin, 100%

MARTIAL ARTS LICENSE -- New

22. TOM GRIFFIN, dba A ACADEMY OF KENPO KARATE #4, 6382 West Lake Mead, Tom M. Griffin, 100%.

SECONDHAND DEALER LICENSE -- New

23. CLASS II, JANIA B. SINGLETON, dba 100% POLYESTER THRIFT STORE, 810 South Main, Jania B. Singleton, 100%, Subject to the provisions of the fire codes

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

24. Award of Bid Number 97.Jul.3, Annual Contract for Liquid Cationic Polymer - Department of Public Works - Award Recommended to: CYTEC INDUSTRIES (\$237,030.469)
25. Award of Bid Number 96.1739.02, West Vehicle Service Center - Department of General Services - Award Recommended to: MEEKS CONTRACTING, INC. (\$3,045,000)
26. Award of Bid Number 96.1730.22, Flood Control Facilities Annual Maintenance 1995-1996 - Department of Public Works - Award Recommended to: BID GROUP A - BOULDER CONSTRUCTION INC., (\$600,000), BID GROUP B - MAX RIGGS CONSTRUCTION CO., INC. (\$388,560)
27. Award of Bid Number 96.3341.01, CD-ROM Stand Alone Server System - Department of Finance and Business Services - Award Recommended to: MICROAGE (\$68,400)
28. Award of Bid Number 96.3462.08, Pick-up Trucks - Department of Neighborhood Services - Award Recommended to: WILLDEN PRIDE DODGE (\$54,663.40)
29. Award of Bid Number 96.3462.07, One (1) Para-Transit Van - Department of Parks and Leisure Activities - Award Recommended to: NEVADA TRUCK EQUIPMENT SALES, INC. (\$32,990)
30. Award of RFP 1010.0634, Document Scanning and Conversion Services - Department of Finance and Business Services - Award Recommended to: INNODATA/INTERNATIONAL IMAGING (\$157,990)
31. Renewal of Bid Number 95.Jul.15, Annual Contract for Security Guard Services - Various Departments - Award Recommended to: SPECIAL OPERATIONS ASSOCIATES, INC. (\$148,444)
32. Renewal of Bid Number 95.1040.02, Annual Maintenance Contract for A-Series Unisys System and Peripherals for the Information Systems Division - Department of Finance and Business Services - Award Recommended to: GRANADA COMPUTER SERVICES (\$240,000)
33. Renewal of Employee Assistance Program Agreement - Various Departments - Award Recommended to: BEHAVIORAL HEALTHCARE OPTIONS (\$29,000)
34. Preapproval of Award of Bid Number 96.1739.09, Detention Facility Housing Expansion to the Lowest Responsive and Responsible Bidder - Department of Detention and Enforcement
35. Approval of Interlocal Agreement with Clark County School District to provide transportation for Parks and Leisure Activities Department's Programs - Department of Parks and Leisure Activities (\$164,000)
36. Rejection of Bidder; Award of Bid Number 96.3462.06 New or Used Vehicles, Items 43, 44, and 45; and Approval to Award Items 1 through 42 to the Lowest Responsive and Responsible Bidder(s)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

37. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - Award Recommended to: CLARK COUNTY TREASURER (\$66,000)

38. Annual Purchase Order Approval for Laboratory Analysis - Department of Public Works - Award Recommended to: AQUATIC TESTING LABORATORIES, CH2M HILL LABORATORY, NEVADA ENVIRONMENTAL LABORATORY, LOCKHEED ENVIRONMENTAL SYSTEM, BC ANALYTICAL LABORATORIES, ALPHA ANALYTICAL, CH2M HILL QUALITY ANALYTICAL LABS, MONTGOMERY LABORATORIES (\$130,000)
39. Annual Purchase Order Approval for Abel Pump Parts - Department of Public Works - Award Recommended to: ABEL PUMP CORPORATION (\$85,000)
40. Annual Purchase Order Approval for Waukesha Engine Parts - Department of Public Works - Award Recommended to: STEWART AND STEVENSON POWER, INC. (\$50,000)

APPROVAL OF SETTLEMENT AGREEMENT

41. Discussion and possible action to approve a settlement agreement regarding Bus Stop Shelters of Nevada

DEPARTMENT OF HUMAN RESOURCES

42. Approval To Upgrade A Municipal Court Office Supervisor To An Operations Programs Coordinator Position, Municipal Court.
43. Approval Of The City's Property Damage Fire Insurance Policy On Buildings, Contents, Outside Equipment, Boiler & Machinery For Fy 1997.
44. **REPORT OF NEW HIRES - MAY 1 15, 1996** - Inventory Control Clerk (Temporary), General Services; Court Clerk I (X) (2), Municipal Court; Evaluation Center Coordinator, Municipal Court; Junior Activities Assistant (6), Parks & Leisure Activities; Lifeguard/WSI (2), Parks & Leisure Activities; Utility Worker I, Parks & Leisure Activities; Junior Activities Assistant (2), Parks & Leisure Activities; Theatre Technician (R), Parks & Leisure Activities.

NEIGHBORHOOD SERVICES

45. Action to approve early payment of the July 1 payment of general fund operational expenditures to St. Vincent de Paul of San Diego for the Stupak Mash Village
46. Action to approve the agreements for Economic Opportunity Board of Clark County (EOB) and Women's Development Center (WDC) to administer the City of Las Vegas Welcome Home Homebuyer Assistance Program
47. Action to approve the annual reduction of the deferred U.S. Department of Housing and Urban Development (HUD) Rental Rehab loan for the fiscal years 1993, 1994 and 1995 for the Cadillac Arms Units at 201/203 and 213/215 George Place, 117/119, 121,123, 125/127, 201/203, 209/211, 213/215 and 217/219 Paul Avenue in the amount of \$21,684.06

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

48. Request approval of Agreement for the Las Vegas Soaring Club to use the North Gowan Detention Basin.
49. Approval to extend (retroactive through May 31, 1996) the tennis concession contract at Lorenzi Park Tennis Complex with Jerry Springer on a month to month basis; a minimum of 60 days and not to exceed six months.
50. Authorize the Department of Parks and Leisure Activities to conduct an RFQ/RFP (Request for Qualifications/Request for Proposal) process for the purposes of providing tennis programming and related services from independent contractors for the Lorenzi Tennis Complex.

PLANNING AND DEVELOPMENT DEPARTMENT

51. Approval of Lease Renewal (N-37313), Bureau of Land Management (BLM) (Park Site - Ann Road, west of El Capitan Way)
52. Approval of Lease Renewal (N37128), Bureau of Land Management (BLM) (Park Site - Vegas Drive, east of Buffalo)
53. Approval of Lease Renewal (N-37129) , Bureau of Land Management (BLM) (Park Site - Smoke Ranch, east of Buffalo)

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

54. From: BECKER AND SONS, A NEVADA PARTNERSHIP, To: City of Las Vegas, For: Portion of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of Section 23, T20S, R60E, M.D.M., for dedication of right of way on Eugene Avenue (30'), located west of Jones Boulevard (5-7-96) 138-23-601-008
55. From: ARLEE ANDERSON AND WILLIAM DAWSON II, AS JOINT TENANTS, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 27, T20S, R61E, M.D.M., for dedication of a 15' radius located on the northwest corner of "B" Street and Van Buren Avenue (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 960520 as Instrument Number 00740) (5-2096)139-27-111-025

RIGHT OF WAY GRANTS FOR DRAINAGE PURPOSES

56. From: PACIFIC HILLS JOINT VENTURE, A NEVADA GENERAL PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 28, T20S, R60E, M.D.M., being a portion of Pacific Hills Condominium subdivision for a drainage easement located inside the entrance of the Pacific Hills Condominium subdivision on the west side of Buffalo Drive (5-3-96) 138-28-501-006
57. From: PACIFIC PROPERTIES AND DEVELOPMENT CORPORATION, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 22, T20S, R60E, M.D.M., being a portion of Parcel of Parcel Map File 68, Page 60 for a drainage easement located at the southeast corner of Buffalo Drive and Sea Spray Avenue (5-3-96) 138-22-401-001

RIGHT OF WAY GRANT FOR SEWER PURPOSES

58. From: MARILYN JUNE ROBINSON, AN INDIVIDUAL AS TO AN UNDIVIDED 1/2 INTEREST, AND MARY K. ROBINSON, TRUSTEE U/A/D/ 12-10-73, AS TO AN UNDIVIDED 1/2 INTEREST, To: City of Las Vegas For: Portions of the Southeast Quarter (SE 1/4) of Section 2, T20S, R60E, M.D.M., for a 20' sewer easement along Jones Boulevard, south of Craig Road for the Monte Cristo/Cheyenne Sewer Interceptor (5-3-96) 138-02-702-002

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

59. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 24, T20S, R59E, M.D.M., being a portion of Common Lots "G," "H" and "L" of The Crossing at Summerlin Village 8 Unit 1, Phase 3 to provide ingress and egress easements into Pacific Crest subdivision (Crestdale Lane/Camborne Avenue & Covington Cross Drive/Lancashire Street) (5-20-96)137-24-897-006 & 007

RIGHT OF WAY GRANT FOR TRAFFIC PURPOSES

60. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 19 and that portion of the Southeast Quarter (SE 1/4) of Section 20, T20S, R60E, M.D.M., being that portion of Common Lot "A" of Summerlin Village 1 South - Unit 2 and that portion of Common Lot "A" of Summerlin Village 1 South - Unit 1 for traffic easements located at the southeast corner of Hillpointe Road and Hills Center Drive and the southwest corner of Hillpointe Road and Rampart Boulevard (5-9-96) 138-19-697-012 & 138-20-797-015
61. From: SUMMERLIN COMMUNITY ASSOCIATION, A NEVADA NON-PROFIT CORPORATION, To: City of Las Vegas, For: Portions of the Northeast Quarter (NE 1/4) of Section 19 and that portion of the Southeast Quarter (SE 1/4) of Section 20, T20S, R60E, M.D.M., being a portion of Common Lots "C," "D" and "F" of the Amended Plat of Summerlin Village 1 North and that portion of Common Lot "E" of Summerlin Village 7 - The Trails - Unit 1 for a traffic easement located at the northwest, northeast and southwest corners of Hillpointe Road & Hills Center Drive; and the northwest corner of Hillpointe Road & Rampart Boulevard (5-8-96) 138-19-697-006, 007, 016 & 138-20-797-003

GRANTS OF EASEMENT

62. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION, To: Nevada Power Company, For: Portions of the Northwest Quarter (NW 1/4) of Section 15, T20S, R60E, M.D.M., for a power line easement located near the southwest corner of Cheyenne Avenue and Tenaya Way to service the monument sign 138-15-101-001
63. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION, To: Nevada Power Company, For: Portions of the Resubdivision of a Portion of the Las Vegas Technology Center, lying in the South Half (S1/2) of Section 15, T20S, R60E, M.D.M., for a power line easement on the east and west sides of Prairie Falcon Road to provide service to the Open Space East and West areas. 138-15-310-006, 710-001
64. Request Permission To File A Right Of Way Application With The Bureau Of Land Management For Sewer Purposes For The North 20' Of Deer Springs Way Alignment, West Of Buffalo Drive Lying Within the Northeast Quarter (NE 1/4) of Section 21, T19S, R60E, M.D.M.

ENCROACHMENT REQUEST

- 65. OXFORD CONSTRUCTION CORPORATION ON BEHALF OF DONALD J. AND ELIZABETH G. DAVENPORT, 4800 Alpine Place, Applicant seeks authorization for an existing encroachment to remain in the public right of way on Appian Way north of Alpine Place consisting of all existing street improvements in Appian Way north of Alpine Place.
- 66. LARRY S. AND TANYA A. MCMILLAN, 400 Falcon Lane, Proposal from applicant to encroach into the public right of way at 400 Falcon Lane which is generally located north of Alta Drive between Upland Boulevard and Decatur Boulevard consisting of landscaping (grass) and a sprinkler system in the five foot (5') strip of excess right of way between the back of sidewalk and the property line.
- 67. MELVIN GREEN ARCHITECT LTD. ON BEHALF OF EXBER, INC., OWNER, 520 Fremont Street Proposal from applicant to encroach into the public right of way on Sixth Street and on Fremont Street adjacent to 520 Fremont Street (Fremont Medical Center) consisting of landscaping, sprinkler system, columns, and a facade overhang.
- 68. ERNEST M. FOUNTAIN, 626 South Ninth Street, Proposal from applicant to encroach into the public right of way on Ninth Street between Garces Avenue and Gass Avenue consisting of landscaping (grass) and a sprinkler system in the 10' wide strip between the back of sidewalk and the property line.

REVIEW AND POSSIBLE ACTION REGARDING AN ENCROACHMENT

- 69. PALACE STATION HOTEL AND CASINO, Applicant proposes that the City of Las Vegas accept ownership and maintenance responsibility for gates and related appurtenances installed by the applicant in the public right of way on Merit Street and on Alcoa Street west of Teddy Drive consisting of wrought iron fences, gates, opening mechanisms, and underground electrical wires at each of the two locations.

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

- 70. GEORGE T. AND LEILANI S. CHEN, (6120 W. Cheyenne Avenue), Request to connect a single family residence to the City sewer from property located in Clark County in the northwest corner of Cheyenne Avenue and Bronco Street.
- 71. TIMOTHY JORDAN, (8585 W. Craig Rd), Request to connect a single family residence to the City sewer from property located in Clark County on the southeast corner of Craig Road and Riley Street.

TRAFFIC & PARKING ITEMS

- 72. Discussion And Possible Approval Of A Request To Remove Parking On Both Sides Of Lake Mead Boulevard Between Jones Boulevard And I-15, And Make Madeline Drive One-Way Southbound From Lake Mead Boulevard To Edward Avenue

REPORTS/ACTION ITEMS

- 73. REQUEST TO CUT PAVEMENT- GEORGE T AND LEILANI S. CHEN, Cheyenne Avenue at Bronco Street.

IV. RESOLUTIONS

- 74. R-31-96, R-32-96 R-33-96 - Adopt Resolutions To Augment The General, Detention And Enforcement Capital Projects And Debt Service Funds In The Fy 1995-96 Budget Of The City Of Las Vegas
- 75. R-34-96 - Approval of Resolution to amend Schedules 17-III, 26-I in accord with Traffic & Parking Item 72.
- 76. R-35-96 - A Resolution Adopting Language For The November 5, 1996, Ballot Question For An Additional Ad Valorem Tax Rate Increase For The Purpose Of Hiring Additional Las Vegas Metropolitan Police Department Manpower.

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

DISCUSSION / ACTION ITEMS

CITY ATTORNEY

- 77. Renewal of Parking Hearing Officer Services Agreements with Paula C. Gentile, Esq. And Roger L. Harris, Esq.
- 78. Discussion and possible action to approve settlement in Santos v. City of Las Vegas, et al.

DEPARTMENT OF DETENTION & ENFORCEMENT

79. Discussion And Possible Action Regarding The Animal Care Shelter Agreement With The Animal Foundation International.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

SECONDHAND DEALER LICENSE -- New

80. CLASS II, ADALBERT CANCIO, dba AL'S SERVICES AND REFRIGERATION, 1040 South Main, Adalbert Cancio, 100%

MARTIAL ARTS LICENSE -- Six Month Review

81. **ABEYANCÉ ITEM** - MICHAEL EVANS, dba DESERT SUN TAE KWON DO, 1725 South Rainbow Blvd. #22 & 23, Michael Evans, 100%

LOCKSMITH LICENSE -- Change of Ownership/Change of Location/Change of Business Name

82. From: Loy Wong, dba A Abet Mobile Lock & Key, 6123 Clarice Avenue, TO: ROADRUNNER LOCKSMITHS, INC., dba VEGAS VALLEY PROFESSIONAL LOCKSMITHS, 2969 South Highland, John W. Aagenes, Dir, Pres, 100%, Subject to the provisions of the planning and fire codes. Also, subject to a favorable report by the Las Vegas Metropolitan Police Department
83. **ABEYANCE ITEM** - Discussion And Approval Of Interlocal Agreement For Collection Of Delinquent City Sewer Fees By Clark County Treasurer

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEMS

84. Discussion And Possible Approval Of A Request To Restrict Trucks Between The Hours Of 6:00pm And 8:00am On Certain City Streets

IV. RESOLUTIONS

85. R-36-96 - Approval of Resolution to amend Schedule 29-II In Accord With Traffic & Parking Item 84.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

86. **Bill No. 96-45** -- Requires cosmetological establishments to pay a semiannual license fee based on the number of customer chairs. Sponsored by: Councilman Arnie Adamsen - Held in Abeyance From Council Meeting of 4/17/96
87. **Bill No. 96-46** -- Basis the semiannual business license fee for barbershops on the number of customer chairs. Sponsored by: Councilman Arnie Adamsen Held in Abeyance From Council Meeting of 4/17/96

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.

88. **Bill No. 96-52** -- Amends and Restates the Fremont Street Experience Project Development Agreement and the Management Agreement for the Fremont Street Experience Project.

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.

89. **Bill No. 96-53** -- Defines the term "shoe shine stand business" and provides a semiannual licensing fee for said business. Sponsored by: Councilman Arnie Adamsen
90. **Bill No. 96-54** -- Removes armored car service businesses from the privileged business licensing requirements. Sponsored by: Councilman Arnie Adamsen

91. **Bill No. 96-55** -- Reduces parking fine by fifty percent for parking longer than posted time if the fine is paid within fifteen days of the issuance of a notice of infraction. Sponsored by: Councilman Arnie Adamsen
92. **Bill No. 96-56** -- Requires all businesses renting rooms or other temporary accommodations for a period of thirty days or less, with or without meals included in the rent, to be licensed. Sponsored by: Mayor Jan Laverty Jones
93. **Bill No. 96-57** -- An Ordinance Concerning The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area); Authorizing The Issuance Of Local Improvement Bonds, Series July 1, 1996 For The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) In The Aggregate Principal Amount Of \$40,000,000 To Finance The Acquisition And Improvement Of A Street Project, Storm Sewer Project, And Water Project; Ratifying The Sale Of Such Bonds To The Purchaser Thereof; Ratifying, Approving And Confirming All Action Previously Taken; Approving The Form Of A Continuing Disclosure Agreement Relating To The Bonds; Prescribing The Form Of Said Bonds, Providing The Source Of Payment And Other Details In Connection Therewith And Other Matters Relating Thereto; Amending Ordinance No. 3993 And Providing The Effective Date Hereof.
94. **Bill No. 96-58** -- Requires radio and television stations to have a business license and pay a semiannual license fee. Sponsored by: Mayor Jan Laverty Jones
95. **Bill No. 96-59** -- Removes the requirement that public bus transportation systems owned by a governmental entity have a City business license. Sponsored by: Councilman Arnie Adamsen
96. **Bill No. 96-60** -- Annexation No. A-1-96(A), Property Located: On the southwest corner of Jones Boulevard and Peak Drive, Petitioned by: Robert and Patricia Schnider, Acreage: Approximately 2.32, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
97. **Bill No. 96-61** -- Annexation A-2-96(A), Property Located: South of Deer Springs Way between El Capitan Way and Durango Drive, Petitioned by: Lied Foundation Trust, et al, Acreage: Approximately 115.72, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
98. **Bill No. 96-62** -- Amends Title 13, Chapter 20 of the Las Vegas Municipal Code, 1983 Edition, to provide for time restrictions on construction work in city streets and providing certain waivers therefrom. Sponsored by: Councilman Arnie Adamsen

2:00 P.M. – AFTERNOON SESSION

99. 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

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. In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must first be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must

be satisfied. (6) Parking and driveway plans must first be approved by the Traffic Engineer. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

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

REINSTATEMENT AND EXTENSION OF TIME

100. **Z-84-94(1) - Lied Foundation Trust** - Request for a Reinstatement and Extension of Time for a single family dwelling subdivision on property located on the northwest corner of Tropical Parkway and Decatur Boulevard - R-E (Residence Estates) Zone under Resolution of Intent to R-PD8 (Residential Planned Development) - Size: 42.9 Acres - Parcel Number: A Portion of 125-25-601-002 - Ward 4

EXTENSION OF TIME

101. **Z-138-93(1) - NOLA D. WHIPPLE AND EBBIE L. DAVIS** - Request for an Extension of Time for a 75 unit elderly housing apartment project on property located on the southwest corner of Gay Street and McKnight Street - R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Limited Multiple Residence) - Size: 5.8 Acres - Parcel Numbers: 139-25-407-005 and 139-25-410-027 - Ward 3
102. **Z-9-92(4) - Olind Jenni Family Trust on behalf of Trophy Homes** - Request for an Extension of Time for a single family residential subdivision on property located on the north side of Del Rey Avenue, east of Cimarron Road - R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residence) - Size: 5.05 Acres - Parcel Number: 163-04-503-002 - Ward 1
103. **Z-10-92(4) - Jaye Fourth Family Limited Partnership on behalf of Trophy Homes** - Request for an Extension of Time for a single family residential subdivision on property located on the northeast corner of Cimarron Road and Del Rey Avenue - R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residence) - Size: 5.24 Acres - Parcel Number: 163-04-503-001 - Ward 1
104. **Z-9-94(2) - Chieftain 5 Limited Liability Company and Gowan 20 Limited Liability Company** - Request for an Extension of Time for a single family residential subdivision on property located on the north side of Cheyenne Avenue, approximately 1,400 feet west of Hualapai Way - N-U (Non-Urban) Zone under Resolution of Intent to R-CL (Single Family Compact Lot) - Size: 20.61 Acres - Parcel Numbers: 450-280-025, 026, 031 and 032 - Ward 4

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

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

105. **Z-68-85(24) - Tech Center Associates on behalf of Vista Las Vegas Hotel Development** - Request for a Plot Plan and Building Elevation Review for a 150 room non-gaming hotel on property located on the east side of Tenaya Way, north of Peak Drive - N-U (Non-Urban) Zone under Resolution of Intent to C-PB (Planned Business Park) - Size: 2.8 Acres - Parcel Number: 138-15-612-002 - Ward 4

REVIEW OF CONDITION

106. Z-68-93(5) - ANN TENAYA PLAZA LIMITED LIABILITY COMPANY - Request for a review of condition to eliminate the requirement for an additional ten feet of right-of-way for Tenaya Way on property located on the northwest corner of ann road and tenaya way - N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial) - Size: 2.0 Acres - Parcel Number: 125-27-801-001 - WARD 4
107. Z-69-93(4) - Las Vegas Housing Partners Limited Partnership - Request for a Review of Condition to delete the requirement to construct two lanes of temporary connecting paving between the east edge of this site and the existing half-street improvements adjacent to the Greenwood Terrace subdivision if a paved connection does not already exist, on property located on the north side of Bonanza Road, approximately 960 feet east of Pecos Road - R-E (Residence Estates) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to R-3 (Limited Multiple Residence) - Size: 13.6 Acres - Parcel Number: 140-30-01-002 - Ward 3

REVIEW OF CONDITION - PUBLIC HEARING

108. ABEYANCE ITEM - Z-43-78(1) - V A Associates - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicle access on property located at 1707 West Charleston Boulevard - C-1 (Limited Commercial) Zone and P-R (Professional Offices and Parking) Zone - Ward 1
109. Z-10-82(2) - Security Capital Pacific - Hearing requested by Councilman Arnie Adamsen to review the status of the non-compliance by Security Capital Pacific to conditions imposed by the City Council on a Review of Condition to delete the requirement for 24 inch box evergreen trees, 20 feet on center, in the planter along the north property line, on property located at 8600 West Charleston Boulevard - R-3 (Limited Multiple Residence) Zone - Ward 2
110. U-328-94(1) - Scott Fitzhugh, Inc. - Request for a Review of Condition of Approval of a Special Use Permit which restricted the hours of operation for a proposed customer operated car wash (this request would allow the car wash to operate 24 hours a day) on property located at 7501 Alta Drive - C-1 Zone - Ward 2

STREET TERMINATION - PUBLIC HEARING

111. ST-2-95(1) - City of Las Vegas - Discussion and possible action by the City of Las Vegas to permanently close Del Amo Drive (a dedicated public right-of-way) on the north side of Charleston Boulevard, east of the I-515 Freeway - Ward 3

VACATION - PUBLIC HEARING

112. VAC-17-96 - Sun Harbor Budget Suites Limited Liability Company of Nevada - Petition to vacate an alley and a portion of a public right-of-way spandrel generally located on the northwest corner of Rancho Drive and Lake Mead Boulevard - Ward 4
113. VAC-19-96 - City of Las Vegas - Petition to vacate a portion of the east half of Mojave Road, generally located between Bonanza Road and the I-515 Freeway - Ward 3

SPECIAL USE PERMIT - PUBLIC HEARING

114. ABEYANCE ITEM - U-74-95 - Robert Black, Et Al - Request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 7200 West Lake Mead Boulevard - C-1 Zone - Ward 4
115. ABEYANCE ITEM - U-16-96 - Gordon & Silver, Ltd., on behalf of Charleston Commons Associates Limited Partnership - Appeal filed by Gordon & Silver, Ltd., on behalf of Charleston Commons Associates Limited Partnership for a Special Use Permit for a proposed tavern within an existing shopping center; and a request for a waiver of the 1,500 foot distance separation requirement from similar establishments on property located at 111 North Nellis Boulevard - C-1 Zone - Ward 3
116. ABEYANCE ITEM - U-27-96 - 150 Spear Street Association on behalf of T.G.I. Friday's - Request for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation requirement from another tavern on property located on the north side of Sahara Avenue, approximately 670 feet west of Arville Street - C-1 Zone - Ward 1

ZONING RECLASSIFICATION - PUBLIC HEARING

117. Z-38-96 - Smoke Ranch-Jones Partnership - Request for a rezoning on property located on the west side of Jones Boulevard, approximately 400 feet north of Smoke Ranch Road - From: N-U (Non-Urban) To: C-1 (Limited Commercial) - Proposed Use: 19,000 SQUARE FOOT THRIFT STORE RETAIL OUTLET - Ward 4
118. Z-39-96 - Highland Investments, Inc., Et Al - Request for a rezoning of property located on the south side of Gilmore Avenue, approximately 330 feet west of Fort Apache Road - From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) - Proposed Use: 99 SINGLE FAMILY DWELLING SUBDIVISION - Ward 4

GENERAL PLAN AMENDMENT - PUBLIC HEARING

119. **GPA-12-96 - Charleston - Montessori "A", Et Al and Leonard and Elizabeth Capri on behalf of Lincoln Property Company** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the south side of West Charleston Boulevard, approximately 990 feet west of Rainbow Boulevard - From: SC (Service Commercial) and ML (Medium-Low Density Residential) To: M (Medium Density Residential) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-12-96 - PUBLIC HEARING

120. **Z-31-96 - Charleston - Montessori "A", Et Al and Leonard and Elizabeth Capri on behalf of Lincoln Property Company** - Request for a rezoning of property located on the south side of Charleston Boulevard, approximately 990 feet west of Rainbow Boulevard - From: N-U (Non-Urban) To: R-PD20 (Residential Planned Development) - Proposed Use: 208 UNIT APARTMENT COMPLEX - Ward 1

GENERAL PLAN AMENDMENT - PUBLIC HEARING

121. **GPA-14-96 - Chaisson Family Trust** - Request to amend a portion of the Northwest Sector of the General Plan on property located on the north side of Cheyenne Avenue, approximately 660 feet east of Hualapai Way - From: ML (Medium-Low Density Residential) To: M (Medium Density Residential) - Ward 4

ZONING RECLASSIFICATION RELATED TO GPA-14-96 - PUBLIC HEARING

122. **Z-36-96 - Chaisson Family Trust** - Request for a rezoning of property located on the north side of Cheyenne Avenue, approximately 660 feet east of Hualapai Way - From: N-U (Non-Urban) To: R-PD19 (Residential Planned Development) - Proposed Use: 190 UNIT TWO-STORY CONDOMINIUM COMPLEX - Ward 4

GENERAL PLAN AMENDMENT - PUBLIC HEARING

123. **GPA-16-96 - E. A. Collins and Dene E. Krametbauer** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: R (Rural Density Residential) To: O (Office) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-16-96 - PUBLIC HEARING

124. **Z-27-96 - E. A. Collins and Dene E. Krametbauer** - Request for a rezoning on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: N-U (Non-Urban) To: C-1 (Limited Commercial) - Proposed Use: 44,700 SQUARE FOOT, TWO-STORY PROFESSIONAL OFFICE BUILDING - Ward 1

GENERAL PLAN AMENDMENT - PUBLIC HEARING

125. **GPA-18-96 - Stratosphere Corporation** - Request to amend a portion of the Downtown Development Plan on property located on the northeast corner of Fairfield Avenue and Philadelphia Avenue - From: H (High Density Residential/Commercial Rehab) To: TC (Tourist Commercial) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-18-96 - PUBLIC HEARING

126. **Z-43-96 - Stratosphere Corporation** - Request for a rezoning of property located on the northeast corner of Fairfield Avenue and Philadelphia Avenue - From: R-4 (Apartment Residence) To: C-2 (General Commercial) - Proposed Use: 163,625 SQUARE FOOT EMPLOYEE PARKING LOT - Ward 1

VACATION RELATED TO GPA-18-96 AND Z-43-96 - PUBLIC HEARING

127. **VAC-21-96 - Stratosphere Corporation** - Petition to vacate the dedicated public alleys generally located in the block bounded by Chicago Avenue, Fairfield Avenue, Philadelphia Avenue and Commerce Street - Ward 1
128. 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



Mayor
JAN LAVERTY JONES
Elected At Large

The Mayor and City Council welcome your attendance and participation at this meeting. Should you wish to speak on an Agenda item, please feel free to do so. However, in fairness to others, we respectfully ask your observance of the following:

1. Please state your name and home address for the record.
2. Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
3. When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speaker's remarks will be helpful in this regard.
4. Your City Council carefully considers all the facts before a decision is made. Brief statements, therefore, are most helpful in reaching a decision based on sound judgment.

FACILITIES ARE PROVIDED THROUGHOUT CITY HALL FOR THE CONVENIENCE OF HANDICAPPED PERSONS

LARRY K. BARTON
City Manager

BRADFORD R. JERBIC
City Attorney

KATHY TIGHE
City Clerk



Councilman
MICHAEL J. McDONALD
WARD 1
Central Area of the City



Councilman
ARNIE ADAMSEN
WARD 2
Southwest Area of the City



Councilman
GARY REESE
WARD 3
Eastern Area of the City



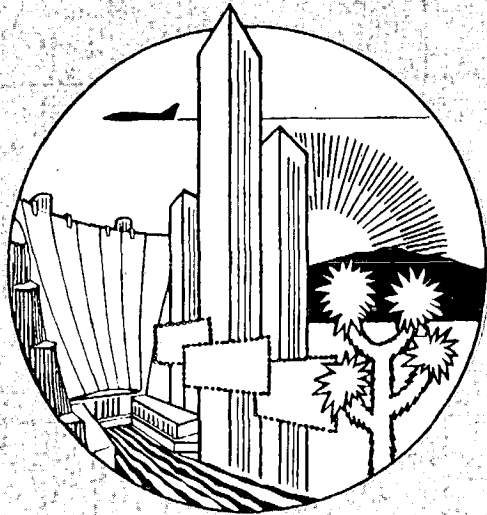
Councilman
MATTHEW Q. CALLISTER
WARD 4
Northwest Area of the City

EXHIBIT B

(Notice of June 19, 1996
City Council Meeting)

City of Las Vegas

400 E. STEWART AVE.
LAS VEGAS, NV 89101



TO:

AGENDA

**POSTMASTER:
CONTAINS DATED MATERIAL
REQUESTED BY ADDRESSEE**

AGENDA

City of Las Vegas

CITY COUNCIL

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

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

JUNE 19, 1996

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.**

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 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 - Father Bill Kenny, Christ The King Catholic Church
- PLEDGE OF ALLEGIANCE
- PROCLAMATION PROCLAIMING WEDNESDAY, JUNE 19, 1996 AS "FATHER BILL KENNY 25TH JUBILEE DAY"
- PRESENTATION OF CERTIFICATES OF APPOINTMENT TO THE MULTI-JURISDICTIONAL COMMUNITY EMPOWERMENT COMMISSION.
- PRESENTATION BY AMERICAN NATIONAL TEENAGER, NEVADA CHAPTER, ON "WHAT'S RIGHT ABOUT AMERICA."
- RECOGNITION OF SUE BRNA AND STUDENT VOLUNTEERS FOR WARD I CLEANUP.
- PRESENTATION OF THE 1996 WILLIE W. DAVIS MEMORIAL AWARD

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 5/15/96 and the Special Budget Council Meeting of 5/21/96.

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.

ADMINISTRATIVE

3. Approval of Renewal of Assignment Agreement Between LVHA and Boys and Girls Clubs of Las Vegas for the A.D. Guy Activity Center.

DEPARTMENT OF FINANCE & BUSINESS SERVICE

4. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
5. Request approval for scope of work expansion to ThirdWave contract to install horizontal, category five lines and associated equipment for the City Hall network

SPECIAL EVENT LIQUOR LICENSE

6. LAS VEGAS INVITATIONAL, Location: TPC Summerlin, 1700 Village Center Circle, Date: October 2-6, 1996, Type: Special Event General, Responsible Person in Charge: Jason Weckel
7. SILVER STATE PAINT CENTER, Location: 401 South Maryland Parkway, Date: 6/27/96, Type: Special Event General, Responsible Person in Charge: Donna Greenough

LIQUOR – New

8. SUPPER CLUB LICENSE, EAST SIDE MARIO'S OPERATING CORPORATION, dba EAST SIDE MARIO'S, 6750 West Sahara, (East Side Mario's Operating Corporation, a wholly-owned subsidiary of East Side Mario's Restaurants, Inc., which is a wholly-owned by both Pizza Hut, Inc. and PepsiCo, Inc.) East Side Mario's Operating Corporation – Teresa J. Roll, Dir, Pres, Treas, Brian H. Cole, Dir, V.P., Secy; East Side Mario's Restaurants, Inc. – Mark L. Bromberg, Dir, Pres, Teresa J. Roll, V.P., Brian H. Cole, Secy, Subject to the provisions of the planning and fire codes and Health Department regulations
9. BEER/WINE/COOLER OFF-SALE LICENSE, K & Z CORP, dba K & Z MARKET, 1109 East Stewart, Kim D. Saleim, Dir, Pres, Secy, Treas, 100%
10. BEER/WINE/COOLER OFF-SALE LICENSE, JUNG CORP., dba FASTY'S FOOD MART, 4701 West Lake Mead, Gil Young Jung, Pres and Susan K. Jung (100% jointly as husband & wife), Subject to the provisions of the planning and fire codes and Health Department regulations
11. BEER/WINE/COOLER ON-SALE LICENSE, SESTO & SESTO, dba MISS ITALIA CAFFE BAR, 2243 North Rampart Blvd., Giampaolo Sesto and Kellie Sesto, 100% jointly as husband and wife; **NOTE: Item to be heard in PM session in conjunction with Planning item #U-40-96**

LIQUOR – Change of Business Name

12. From: Flame Bar-B-Q Restaurant, TO: BEER/WINE/COOLER ON-SALE LICENSE, FLAME BAR-B-QUE, INC., dba STRAIGHT FROM PHILLY STEAKOUT, 1770 South Rainbow, Isidoros Frangakis, Dir, Pres, 50%, Clarence E. Yohn, Dir, Secy, Treas, 50%, Lorraine C. Tobler, Manager

LIQUOR – Change of Ownership/Change of Location/Change of Business Name

13. TAVERN LICENSE, From: L.R.P. Corporation, dba Social Circle Bar, 235 North Eastern (nonoperational); TO: ADM, INC., dba THE BAR, 1201 Las Vegas Blvd. South, David L. Floyd, Dir, Pres, 33 1/3%, Allen L. Newell, Dir, V.P., 33 1/3%, Mary Floyd, Dir, Secy, Treas, 33 1/3%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR – Approval of Stockholder/Officer

14. TAVERN LICENSE, SZECHWAN CORPORATION, dba SZECHWAN CHINESE RESTAURANT, 3101 West Sahara, Julie Shu-May Young, Dir, Pres, Secy, Treas, 100%

LIQUOR – Approval of Regional Manager

15. PACKAGE LICENSE, TRADER JOE'S CO, dba TRADER JOE'S, 2101 South Decatur, Susan E. L'Africain, Area Manager

LIQUOR & GAMING – New

16. TAVERN LICENSE, RESTRICTED GAMING: 15 slots, MEATHEADS, LLC, dba MEATHEADS I, 4734 Faircenter Parkway, SES Gaming, Inc., Member, 99% – Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, II, Dir, Pres, 14%, Bradley B. Stunkel, Dir, 14%, Sheldon E. Stunkel, Jr., Dir, 14%, Lee A. Shapiro, Dir, V.P., Secy, Treas, 7%, Subject to the provisions of the fire codes and Health Department regulations, Approved by the Nevada Gaming Commission on May 23, 1996
17. TAVERN LICENSE, RESTRICTED GAMING: 15 slots, DUKE'S PLACE, LLC, dba DUKE'S PLACE, 4437 West Charleston, SES Gaming, Inc., Member, 99%, Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, II, Dir, Pres, 14%, Bradley B. Stunkel, Dir, 14%, Sheldon E. Stunkel, Jr., Dir, 14%, Lee A. Shapiro, Dir, V.P., Secy, Treas, 7%, Subject to the provisions of the fire codes and Health Department regulations, Approved by the Nevada Gaming Commission on May 23, 1996

GAMING -- New

18. SLOT OPERATOR LICENSE, E-T-T, INC., Space Lease Location at: Santa Fe Mining Company, 5021 North Rainbow, Restricted Gaming: 15 slots, Subject to approval by the Nevada Gaming Commission on June 19, 1996

BURGLAR ALARM LICENSE -- New

19. CONSTRUCTION ELECTRONICS, INC., dba CONSTRUCTION ELECTRONICS, INC., 2550 Chandler Avenue, David E. Sinclair, Dir, Pres, Treas, 50%, Mikey R. Sinclair, Dir, Secy, 50%

LOCKSMITH LICENSE -- New

20. DAVID SHORT, dba ALWAYS DEPENDABLE LOCKSMITHS, 1973 North Nellis, David A. Short, 100%
21. SILVER SWORD LOCKSMITH, INC., dba POP-A-LOCK, 232 North Jones Blvd., Michael L. Killgore, Dir, Pres, 50%, Kay A. Killgore, Dir, Secy, Treas, 50%

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

22. Award of Bid Number 96.7254.18, Water Pollution Control Facility Paving Rehabilitation - Department of Public Works - Award Recommended to: ABREGO INC. DBA MACCO ENGINEERING AND CONSTRUCTION (\$2,499,999)
23. Award of Bid Number 96.1730.16, 1995-1996 Street Rehabilitation Huntridge IIB - Department of Public Works - Award Recommended to: RICHARDSON CONSTRUCTION, INC. (\$1,155,777.63)
24. Award of Bid Number 95.2610.10, An San Sister City Park, Phase II - Department of Parks and Leisure Activities - Award Recommended to: LAS VEGAS PAVING CORPORATION (\$459,766)
25. Award of Bid Number 97.Jul.1, Annual Contract for Bulk Liquid Chlorine - Department of Public Works - Award Recommended to: ALL PURE CHEMICAL (\$117,396)
26. Award of Bid Number 97.Jul.04, Annual Contract for Hewlett-Packard Printers and Accessories Department of Finance and Business Services - Award Recommended to: COMPUSA (\$81,570)
27. Award of Bid Number 96.1772.03, Traffic Signals for Summerlin Parkway/Rampart Boulevard Interchange - Department of Public Works - Award Recommended to: DESERT CONSTRUCTION (\$163,318.75)
28. Award of Bid Number 96.Mar.7, Annual Contract for Herbicides and Insecticides - Department of Parks and Leisure Activities - Award Recommended to: HELENA CHEMICAL CO. (\$46,000)
29. Renewal of Bid Number 96.Jul.11, Annual Unleaded Gasoline and Diesel Fuel Contract - Department of General Services - Award Recommended to: REBEL OIL COMPANY (\$445,000)
30. Rejection of Bidders and Award of Bid Number 96.3341.02, One (1) Compaq Proliant 4500R Rack Mounted Server System - Various Departments - Award Recommended to: CONNECTING POINT OF LAS VEGAS (\$44,719.73)
31. Rejection of Bidders and Award of Bid Number 97.Aug.01, Annual Contract to print "City Talk" Newsletter - Department of General Services - Award Recommended to: QUALITY IMPRESSIONS (\$72,000)
32. Rejection of Bidder and Award of Bid Number 96.1739.01, Rampart Interchange Landscape - Department of Public Works - Award Recommended to: TRI-T LANDSCAPING OF NEVADA (\$529,141)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

33. Purchase Order Approval for Public Defender Representation for Indigents - Department of Municipal Court - Award Recommended to: CLARK COUNTY TREASURER (\$496,678)
34. Purchase Order Approval for Professional Staff Development Training for the City's Information Systems Staff - Department of Finance and Business Services - Award Recommended to: BACHMAN INFORMATION SYSTEMS (\$36,000), OPENWARE TECHNOLOGIES, INC. (\$14,000), GLOBAL KNOWLEDGE NETWORK (\$234,000), THIRDWAVE CORPORATION (\$8,700), BORLAND INTERNATIONAL (\$73,400)
35. Purchase Order Approval for Document Plotter for the Plans Library - Department of Finance and Business Services - Award Recommended to: JAPAN DIGITAL LABORATORY CO. (\$38,120.53)

36. Award of Annual Purchase Order for Instructors for Municipal Court-Ordered Defendant Classes - Department of Municipal Court - Award Recommended to: PATRICIA BROWN-ALLMAN, JOHN HARNEY, WILLIAM JACKSON, GREGORY MCCURDY, DAVID MOODY, GAIL MOSES, GARY PLANCHON, KEITH ROYLANCE, JAMES STILES, JOSE TRONCOSO (\$115,200)
37. Annual Purchase Orders Approval for Inmate Commissary Supplies - Department of Detention and Enforcement - Award Recommended to: VEGA WHOLESALE (\$35,000), LANDER COMPANY, INC. (10,000), CAPITAL ENTERPRISES (\$5,000), ACCESS CATALOG COMPANY (\$5,000), HOWLETT-OLSON FOOD (\$9,645), BRADY INDUSTRIES (\$10,576.92), CRAWFORD JAIL SUPPLY (\$6,577.08)
38. Award of Annual Purchase Orders for Alternate Judges - Department of Municipal Court - Award Recommended to: RONALD BARRON, NEIL BELLER, EDWARD BERNSTEIN, VICTOR BUNITSKY, MICHAEL CHERRY, JOHN CURTAS, KYM CUSHING, KEITH GALLIHER, LARRY KETZENBERGER, ROBERT KNOTT, GARY LANG, JOHN LAVERY, THOMAS LEEN, CUTHBERT MACK, ROBERT MASSI, LAWRENCE MOORE, BRIAN MORRISON, WALTER NORWOOD, ROBERT QUALEY, NATHANIEL REED, SUSAN SCANN, THOMAS SHEETS, LAURA UNGARO, GERALD WAITE (\$52,000)
39. Award of Purchase Order for Workbooks and Video Tapes for Municipal Court-Ordered Defendant Classes - Department of Municipal Court - Award Recommended to: NATIONAL SAFETY COUNCIL(\$47,370)

SUBSTITUTION OF SUBCONTRACTOR

40. Substitution of Subcontractor, Bid Number 96.1739.06, ADA Accessibility Improvements at Mirabelli Community Center - Department of Parks and Leisure Activities - Award Recommended to: SOUTHWEST PLUMBING

DEPARTMENT OF HUMAN RESOURCES

41. Approval To Upgrade An Office Specialist II To A Publicity Specialist I Position, Parks & Leisure Activities.
42. Approval To Reallocate A Fire Training Specialist To A Fire Training Officer Position, Fire Services.
43. Approval Of Partial Disability Award For An Industrial Injury On Claim #9508-06.
44. **REPORT OF NEW HIRES - MAY 15 - JUNE 5, 1996** - City Administrative Receptionist, City Manager; Custodian I (X), General Services; Office Specialist II, General Services; Administrative Secretary, Public Works; Construction Inspector I (X), Public Works, Office Specialist II, Public Works; Theatre Technician, Parks & Leisure Activities; Utility Worker II, Parks & Leisure Activities.

NEIGHBORHOOD SERVICES

45. Action To Approve Amendment To Community Development Block Grant (CDBG) Rehabilitation Funding Agreement With Economic Opportunity Board (EOB) For Multi-Family Housing Units, Located At 618 West Washington And 415 West Adams
46. Action To Approve The Continuum Of Care Strategy Developed By The Neighborhood Services Department As Part Of Our Community's Consolidated Application For HUD's 1996 Homeless Assistance Funding
47. Action To Approve Amendment To Operational Agreement Of Las Vegas Village
48. Action To Approve Amendments To The Policies & Guidelines For Residential Rehabilitation Assistance Programs

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

49. Request approval to accept the Las Vegas Housing Authority Grant for the Youth Sports/Inner City Games proposal.
50. Request approval to accept the Las Vegas Housing Authority Grant for the Late Nite Hoops Basketball Program.

PLANNING AND DEVELOPMENT DEPARTMENT

51. Action To Approve An Amendment To The Agreement With EDAW, Inc., For Planning And Design Services In Support Of Downtown Redevelopment
52. Renewal of Bureau of Land Management (BLM) Recreation and Public Purpose Lease N-37057 for a Fire Station - Location at Fort Apache and Moccasin

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

53. From: TYMER FAMILY LIMITED PARTNERSHIP, CONSISTING OF NORMAN TY HILBRECHT AND MERCEDES L. HILBRECHT, To: City of Las Vegas, For: Portions of Government Lots 33 and 34 in the Southwest Quarter (SW 1/4) of Section 7, T20S, R60E, M.D.M., for dedication of rights-of way on Cheyenne Avenue and Hualapai Way (50'), located on the east side of Hualapai Way and the north side of Cheyenne Avenue (5-20-96) 138-07-401-003 & 004
54. From: SUMMIT HOLDINGS, LLC, To: City of Las Vegas, For: Portions of the Southeast Quarter (SE1/4) of Section 12, T20S, R59E, M.D.M., for dedication of rights-of-way on Cheyenne Avenue and Hualapai Way (50'), located on the west side of Hualapai Way and the north side of Cheyenne Avenue (5-17-96) 450-280-028
55. From: THE CLARK COUNTY SCHOOL DISTRICT, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 2, T21S, R60E, M.D.M. for a total 25' radius located at the northwest corner of Oakey Boulevard and Torrey Pines Drive (4-23-96) 163-02-203-001

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

56. From: SILVER STATE HOLDING COMPANY, A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 28, T20S, R60E, M.D.M. for dedication of a 7' x 40' drainage easement at the southwest corner of Buffalo Drive and Vegas Drive (5-22-96) 138-28-501-005

ENCROACHMENT REQUEST

57. MARION BENNETT, 1230 West Owens Avenue, Applicant proposes to encroach into the public right of way on "K" Street, north of Owens Avenue as a requirement of Z-98-94 consisting of trees, crushed rock, an irrigation system, and a reduced pressure principle assembly (RPPA) in the five foot (5') wide strip of land along the west edge of the "K" Street right-of-way, including a portion of the radius on the northwest corner of Owens Avenue and "K" Street.

TRAFFIC & PARKING ITEMS

58. Discussion And Possible Approval Of A Request To Change The Speed Limit To 30 MPH On Thomas Ryan, Del Webb, And Sun City Boulevards At All Points In The City
59. Discussion And Possible Approval Of A Request To Prohibit Parking On The East Side Of Rainbow Boulevard Between Cheyenne Avenue And Smoke Ranch

REPORT/ACTION ITEMS:

60. Discussion And Possible Approval Of Supplemental Agreement For Roadway And Drainage Channel Improvements On Buffalo Drive
61. Discussion And Possible Approval Of A Consultant Agreement With CH2M Hill For Engineering Services
62. Discussion And Possible Approval Of A Professional Services Agreement With Glanville Associates For Design Of Rafael Rivera Fields
63. Discussion And Possible Approval To Reimburse Summerlin For The Construction Of Angel Park Offsite Road Improvements On Hualapai Way

IV. RESOLUTIONS

64. R-37-96 - Approval of Resolution to amend Schedules 17-111, 17-VI, 25-I, 25-II, 25-IV in accord with Traffic & Parking Items 58 and 59.
65. R-38-96 - Resolution Adopting Interlocal Cooperative Agreement Among The County Of Clark And The Cities Of Las Vegas And North Las Vegas For The Purpose Of Creating A Home Investment Partnerships Consortium For The Department Of Housing And Urban Development
66. R-41-96 - Resolution directing City Treasurer to Prepare Second Assessment Apportionment Report re: Special Improvement District No. 458 (Lake Mead Boulevard)
67. R-42-96 - Resolution approving Second Assessment Apportionment Report re: Special Improvement District No. 458 (Lake Mead Boulevard)

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

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

- 68. Discussion and possible action on re-establishment of a second Deputy City Manager position
- 69. Discussion and possible action to ratify the City Manager's appointment of Steven P. Houchens as Deputy City Manager

DEPARTMENT OF DETENTION & ENFORCEMENT

- 70. ABEYANCE ITEM - Discussion And Possible Action Regarding The Animal Care Shelter Agreement With The Animal Foundation International.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

LIQUOR -- New

- 71. PACKAGE LIQUOR LICENSE, GOURMET PLAZA, INC., dba INTERNATIONAL WINE CHEESE EMPORIA AND DELICATESSEN, 8400 West Sahara, Samuel Mudaro, Pres, 25%, Sheldon Fogel, V.P., 25%, Eva Mudaro, Treas, 25%, Anne Fogel, Secy, 25%, Subject to the provisions of the planning and fire codes and Health Department regulations

LOCKSMITH LICENSE -- One Year Review

- 72. MICHAEL VIDAL dba J & J LOCK & KEY, 5620 West Charleston, Michael Vidal, 100%

LOCKSMITH LICENSE -- Change of Location

- 73. From: 5620 West Charleston, #A, TO: MICHAEL VIDAL, dba J & J LOCK & KEY, 3211 Industrial Road, Michael Vidal, 100%

DEPARTMENT OF GENERAL SERVICES

- 74. Discussion and Possible Action to extend the contract with Bus Stop Shelters of Nevada for the provision of bus stop shelters

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEMS

- 75. ABEYANCE ITEM: - Discussion And Possible Approval Of A Request To Restrict Trucks Between The Hours Of 6:00 P.M. And 8:00 A.M. On Certain City Streets

IV. RESOLUTIONS

- 76. ABEYANCE ITEM - R-36-96 - Approval of Resolution to amend Schedule 29-II In Accord With Traffic & Parking Item 75.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 77. **Bill No. 96-52** -- Amends and Restates the Fremont Street Experience Project Development Agreement and the Management Agreement for the Fremont Street Experience Project.
- 78. **Bill No. 96-57** -- An Ordinance Concerning The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area); Authorizing The Issuance Of Local Improvement Bonds, Series July 1, 1996 For The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) In The Aggregate Principal Amount Of \$40,000,000 To Finance The Acquisition And Improvement Of A Street Project, Storm Sewer Project, And Water Project; Ratifying The Sale Of Such Bonds To The Purchaser Thereof; Ratifying, Approving And Confirming All Action Previously Taken; Approving The Form Of A Continuing Disclosure Agreement Relating To The Bonds; Prescribing The Form Of Said Bonds, Providing The Source Of Payment And Other Details In Connection Therewith And Other Matters Relating Thereto; Amending Ordinance No. 3993 And Providing The Effective Date Hereof.
- 79. **Bill No. 96-60** -- Annexation No. A-1-96(A), Property Located: On the southwest corner of Jones Boulevard and Peak Drive, Petitioned by: Robert and Patricia Schnider, Acreage: Approximately 2.32, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister

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.

80. **Bill No. 96-53** -- Defines the term "shoe shine stand business" and provides a semiannual licensing fee for said business. Sponsored by: Councilman Arnie Adamsen
81. **Bill No. 96-54** -- Removes armored car service businesses from the privileged business licensing requirements. Sponsored by: Councilman Arnie Adamsen
82. **Bill No. 96-55** -- Reduces parking fine by fifty percent for parking longer than posted time if the fine is paid within fifteen days of the issuance of a notice of infraction. Sponsored by: Councilman Arnie Adamsen
83. **Bill No. 96-56** -- Requires all businesses renting rooms or other temporary accommodations for a period of thirty days or less, with or without meals included in the rent, to be licensed. Sponsored by: Mayor Jan Laverty Jones
84. **Bill No. 96-58** -- Requires radio and television stations to have a business license and pay a semiannual license fee. Sponsored by: Mayor Jan Laverty Jones
85. **Bill No. 96-59** -- Removes the requirement that public bus transportation systems owned by a governmental entity have a City business license. Sponsored by: Councilman Arnie Adamsen
86. **Bill No. 96-61** -- Annexation A-2-96(A), Property Located: South of Deer Springs Way between El Capitan Way and Durango Drive, Petitioned by: Lied Foundation Trust, et al, Acreage: Approximately 115.72, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
87. **Bill No. 96-62** -- Amends Title 13, Chapter 20 of the Las Vegas Municipal Code, 1983 Edition, to provide for time restrictions on construction work in city streets and providing certain waivers therefrom. Sponsored by: Councilman Arnie Adamsen

VI. REPORTS FROM REAL ESTATE COMMITTEE

88. Discussion and possible action to approve a land sale agreement between the City of Las Vegas and THL limited liability company to purchase land in the Las Vegas Technology Center.
89. Discussion And Possible Action To Quitclaim Fee Simple Title Of City-Owned Property In The General Vicinity Of Stewart Avenue And Thirteenth Street To The Las Vegas Housing Authority.
90. **R-39-96** - A Resolution Declaring The City Of Las Vegas' Intent To Exchange Real Property Owned By The City Of Las Vegas, Located On Harris Avenue, East Of The New School Site Which Is East Of And Adjacent To Lunt Elementary School, For Real Property Owned By The Clark County School District, Located At Harris Avenue And "C" Street.
91. **R-40-96** - A Resolution Declaring The City Of Las Vegas' Intent To Lease Approximately Five Acres Of Real Property, Located On Harris Avenue, East Of The New School Site Which Is East Of And Adjacent To Lunt Elementary School To The Clark County School District.

VII. BOARDS & COMMISSIONS

92. **SOUTHERN NEVADA ENTERPRISE CONSORTIUM COMMITTEE** - Mayor Jones to replace Councilman McDonald
93. **CITIZENS ADVISORY COMMITTEE ON DOWNTOWN DEVELOPMENT** - Charles Chandler - Term Expires 2/21/98

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.

94. **Bill No. 96-63** -- Establishes a semiannual license fee for businesses washing, waxing, cleaning or detailing motor vehicles. Sponsored by: Councilman Arnie Adamsen
95. **Bill No. 96-64** -- Requires places of business providing a bowling center to pay a semiannual license fee for such bowling center. Sponsored by: Councilman Arnie Adamsen
96. **Bill No. 96-65** -- Removes business license fee exemption for persons with State contractor's license who are in the business of leasing or selling outdoor advertising space. Sponsored by: Mayor Jan Laverty Jones

97. **Bill No. 96-66** -- Amends Ordinance No. 3750 levying the assessments in Special Improvement District No. 505 (Elkhorn Springs area) to provide grace period before assessment of penalty for delinquent assessment payments. Sponsored by: Councilman Callister
98. **Bill No. 96-67** -- Allows gaming and more bar seating at supper clubs. Sponsored by: Councilman Matthew Q. Callister

2:00 P.M. – AFTERNOON SESSION

99. 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.

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. In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must first be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must first be approved by the Traffic Engineer. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map.

Vacation Applications: (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

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

EXTENSION OF TIME

100. **Z-30-95(1) - Petkin Trust** - Request for an Extension of Time for a proposed 12,320 square foot shopping center on property located on the north side of Bonanza Road between Page and Hubbard Streets - R-1 (Single Family Residence) Zone under Resolution of Intent to C-1 (Limited Commercial) - Ward 3 (Reese).

101. U-40-95(1) - Walter Homes, L Request for an Extension of Time on an approved Special Use Permit which allowed a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Rancho Drive and Decatur Boulevard, C-2 Zone, Ward 4 (Callister).

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

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

102. Z-139-88(13) - Triple Five Development - Request for a Plot Plan and Building Elevation Review for a proposed 356 unit apartment complex on property located on the southeast corner of Grand Canyon Drive And Preakness Pass - C-1 (Limited Commercial) Zone - Ward 2 (Adamsen).

REVIEW OF CONDITION

103. V-12-96(1) - AT&T Wireless on behalf of Robert P. Bertges - Request for a Review of Condition on an approved Variance which restricted the height of a proposed cellular tower and transmission facility to 40 feet, on property located at 1405 South Arville Street, P-R Zone, Ward 1 (McDonald).

REQUIRED TWO YEAR REVIEW

104. V-43-92(2) - Mark Milford - Required two year review on an approved Variance which allowed outside repair work to be limited to the hours between 9:00 a.m. and 5:00 p.m. on property located at 1615 North Decatur Boulevard, C-1 Zone, Ward 4 (Callister).
105. V-49-92(2) - Joan Pennacchio - Required two year review on an approved Variance which allowed an existing outdoor automobile alignment rack where such equipment and service is required to be screened from view on property located at 2401 North Rancho Drive, C-2 Zone, Ward 4 (Callister).

REVIEW OF CONDITIONS - PUBLIC HEARING

106. ABEYANCE ITEM - Z-43-78(1) - V A Associates - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicle access on property located at 1707 West Charleston Boulevard, C-1 (Limited Commercial and P-R (Professional Offices and Parking) Zones - Ward 1 (McDonald).

VACATION - PUBLIC HEARING

107. ABEYANCE ITEM - VAC-21-96 - Stratosphere Corporation - Petition to vacate the dedicated public alleys generally located in the block bounded by Chicago Avenue, Fairfield Avenue, Philadelphia Avenue and Commerce Street - Ward 1 (McDonald).
108. VAC-22-96 - Howard Hughes Properties, Limited Partnership - Petition to vacate the easterly ten feet of a 20 foot wide drainage easement generally located south of Lake Mead Boulevard, east of Anasazi Drive - Ward 2 (Adamsen).
109. VAC-23-96 - Edward D. and Maurine J. Smith - Petition to vacate U. S. Government Patent Reservations on property located on the northwest corner of O'Bannon Drive and Tioga Way - Ward 2 (Adamsen).

SPECIAL USE PERMIT - PUBLIC HEARING

110. U-34-96 - City of Las Vegas on behalf of Walters Group/Golf Club of Nevada - Request for a Special Use Permit for four 14 foot x 48 foot off-premise advertising (billboard) signs on property located on the north side of the I-515 Freeway between Mojave Road and Pecos Road, Ward 3, C-V Zone, Ward 3 (Reese). (Related to V-50-96)

VARIANCE RELATED TO U-34-96 - PUBLIC HEARING

111. V-50-96 - City of Las Vegas on behalf of Walters Group/Golf Club of Nevada - Request for a Variance to allow four proposed 14 foot x 48 foot off-premise advertising (billboard) signs 562 feet apart where 750 feet is the minimum distance separation required; and to allow the signs to be located 2 feet from the I-515 Freeway right-of-way where 10 feet is the minimum distance required on property located on the north side of the I-515 Freeway between Mojave Road and Pecos Road, C-V Zone, Ward 3 (Reese). (Related U-34-96)

VARIANCE - PUBLIC HEARING

112. V-43-96 - Rock Springs Vista Development Company - Request for a Variance to allow an existing non-conforming off-premise advertising (billboard) sign to be relocated from 280 feet to 130 feet from a residential district, where 300 feet is the minimum distance separation required, on property located at 911 North Buffalo Drive, C-1 Zone, Ward 2 (Adamsen).
113. V-44-96 - Olympic Neon on behalf of the City of Las Vegas - Appeal filed by Olympic Neon on behalf of the City of Las Vegas for a Variance to allow an 80 square foot, 24 foot high freestanding ground sign where 48 square feet is the maximum sign area allowed and 12 feet is the maximum height allowed, on property located at 1020 East St. Louis Avenue, C-V Zone, Ward 3 (Reese).

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117. U-29-96 - Hart/Volland Enterprises, Limited Liability Company - Request for a Special Use Permit for a 14 foot x 48 foot off-premise advertising (billboard) sign on property located at 2151 North Rancho Drive, C-2 Zone, Ward 4 (Callister).
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119. U-31-96 - Rainbow Promenade Partners Limited Liability Company - Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant (Chili's Grill & Bar); and a request for a waiver of the 1,500 foot minimum distance separation from proposed and existing taverns on property located on the northwest corner of Lake Mead Boulevard and Rainbow Boulevard, N-U Zone (under Resolution of Intent to C-1), Ward 4 (Callister).
120. U-32-96 - Rainbow Promenade Partners Limited Liability Company - Request for a Special Use Permit for a tavern in conjunction with a proposed restaurant (Romano's Macaroni Grill); and a request for a waiver of the 1,500 foot minimum distance separation from proposed and existing taverns on property located on the northwest corner of Lake Mead Boulevard and Rainbow Boulevard, N-U Zone (under Resolution of Intent to C-1), Ward 4 (Callister).
121. U-33-96 - Peccole 1982 Trust, Et Al - Request for a Special Use Permit for a tavern in conjunction with a proposed wedding chapel on property located on the west side of Rampart Boulevard, approximately 1,000 feet north of Charleston Boulevard, N-U Zone (under Resolution of Intent to C-1), Ward 2 (Adamsen).
122. U-39-96 - Hermes Associates - Request for a Special Use Permit for the sale of beer and wine in conjunction with an existing restaurant on property located at 614 South Maryland Parkway, C-2 Zone, Ward 3 (Reese).

PLOT PLAN AND BUILDING ELEVATION REVIEW - PUBLIC HEARING

123. Z-12-95(1) - Charles L. Ruthe on behalf of Hector Camacho - Request for a Plot Plan and Building Elevation Review for a proposed expansion of an existing used automobile sales lot on property located at 1250 North Eastern Avenue - R-1 (Single Family Residence) Zone under Resolution of Intent to C-2 (General Commercial) - Ward 3 (Reese).
124. Z-2-96(1) - Bat Rentals, Inc. - Request for a Plot Plan and Building Elevation Review for a 46,800 square foot retail shopping center on property located on the east side of Rancho Drive, approximately 210 feet north of the intersection of Torrey Pines Drive and Rancho Drive - R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) - Ward 4 (Callister).
125. Z-11-96(1) - City of Las Vegas - Request for a Plot Plan And Building Elevation Review for a proposed 46 foot high cellular antenna and a 400 square foot equipment building addition on property located at 2801 West Oakey Boulevard (Bob Baskin Park) - C-V (Civic) Zone - Ward 1 (McDonald).

ZONING RECLASSIFICATION - PUBLIC HEARING

126. ABEYANCE ITEM - Z-38-96 - Smoke Ranch-Jones Partnership - Request for a Rezoning on property located on the west side of Jones Boulevard, approximately 400 feet north of Smoke Ranch Road - From: N-U (Non-Urban) - To: C-1 (Limited Commercial) - Ward 4 (Callister).
127. Z-44-96 - Steven M. Terry Family Trust - Request for a Rezoning on property located at 2107 West Bonanza Road - From: R-E (Residence Estates) - To: C-M (Commercial Industrial) and C-2 (General Commercial) - Proposed Use: 20,000 SQUARE FOOT WAREHOUSE AND SHOWROOM - Ward 3 (Reese).
128. Z-45-96 - Joseph Argier - Request for a Rezoning on property located at 1905 West Bonanza Road - From: R-E (Residence Estates) - To: C-M (Commercial Industrial) and C-2 (General Commercial) - Proposed Use: 1,600 SQUARE FOOT OFFICE AND THE STORAGE OF USED CONSTRUCTION VEHICLES - Ward 3 (Reese).
129. Z-46-96 - Dianne Herr - Request for a Rezoning on property located at 1529 West Bonanza Road - From: R-E (Residence Estates) - To: C-2(General Commercial) - Proposed Use: 2,180 SQUARE FOOT OFFSET PRINTING BUILDING - Ward 3 (Reese).
130. Z-48-96 - Wylie Construction on behalf of Lawrence V. and Madeline Murphy-Lesky - Request for a Rezoning on property located on the west side of Leonard Lane between Lake Mead Boulevard and Vegas Drive - From: R-E (Residence Estates) - To: R-PD3 (Residential Planned Development 3 units per acre) - Proposed Use: 14 SINGLE FAMILY DWELLINGS - Ward 4 (Callister)

GENERAL PLAN AMENDMENT - PUBLIC HEARING

131. **ABEYANCE ITEM - GPA-16-96 - E. A. Collins and Dene E. Krametbauer** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: R (Rural Density Residential) - To: O (Office) - Ward 1 (McDonald).

ZONING RECLASSIFICATION RELATED TO GPA-16-96 - PUBLIC HEARING

132. **ABEYANCE ITEM - Z-27-96 - E. A. Collins and Dene E. Krametbauer** - Request for a Rezoning on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: N-U (Non-Urban) - To: C-1 (Limited Commercial) - Proposed Use: 44,700 SQUARE FOOT, TWO-STORY PROFESSIONAL OFFICE BUILDING - Ward 1 (McDonald).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

133. **GPA-19-96 - Fletcher Jones Sr. Trust** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the southwest corner of Owens Avenue and Lamb Boulevard - From: SC (Service Commercial) - To: M (Medium Density Residential) - Ward 3 (Reese).

ZONING RECLASSIFICATION RELATED TO GPA-19-96 - PUBLIC HEARING

134. **Z-47-96 - Fletcher Jones Sr. Trust** - Request for a Rezoning on property located on the southwest corner of Owens Avenue and Lamb Boulevard - From: R-E (Residence Estates) - To: C-1 (Limited Commercial) and R-PD18 (Residential Planned Development 18 units per acre) - Proposed Use: 4,000 SQUARE FOOT CONVENIENCE STORE AND 256 APARTMENTS - Ward 3 (Reese).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

135. **GPA-21-96 - Nevada Power Company** - Request to amend a portion of the Northwest Sector of the General Plan on property located on the northeast corner of Jones Boulevard and Azure Drive - From: R (Rural Density Residential) - To: PF (Public Facilities) - Ward 4 (Callister). **NOTE: APPLICANT HAS REQUESTED ITEM BE HELD IN ABEYANCE UNTIL THE 7/3/96 CITY COUNCIL MEETING.**

ZONING RECLASSIFICATION RELATED TO GPA-21-96 - PUBLIC HEARING

136. **Z-50-96 - Nevada Power Company** - Request for a Rezoning on property located on the northeast corner of Jones Boulevard and Azure Drive - From: R-E (Residence Estates) - To: C-V (Civic) - Proposed Use: NEVADA POWER SUBSTATION - Ward 4 (Callister). **NOTE: APPLICANT HAS REQUESTED ITEM BE HELD IN ABEYANCE UNTIL THE 7/3/96 CITY COUNCIL MEETING.**

137. 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



Mayor
JAN LAVERTY JONES
Elected At Large

The Mayor and City Council welcome your attendance and participation at this meeting. Should you wish to speak on an Agenda item, please feel free to do so. However, in fairness to others, we respectfully ask your observance of the following:

1. Please state your name and home address for the record.
2. Groups or organizations wishing to make a presentation are asked to designate one spokesperson in the interest of time and to avoid repetition.
3. When more than one citizen is heard on any matter, please avoid repetition in your comments. Careful attention to the previous speaker's remarks will be helpful in this regard.
4. Your City Council carefully considers all the facts before a decision is made. Brief statements, therefore, are most helpful in reaching a decision based on sound judgment.

FACILITIES ARE PROVIDED THROUGHOUT CITY HALL FOR THE CONVENIENCE OF HANDICAPPED PERSONS

LARRY K. BARTON
City Manager

BRADFORD R. JERBIC
City Attorney

KATHY TIGHE
City Clerk



Councilman
MICHAEL J. McDONALD
WARD 1
Central Area of the City



Councilman
ARNIE ADAMSEN
WARD 2
Southwest Area of the City



Councilman
GARY REESE
WARD 3
Eastern Area of the City



Councilman
MATTHEW Q. CALLISTER
WARD 4
Northwest Area of the City

EXHIBIT C

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

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
JUN 19 11 42 AM '96

PASTE CLIPPING HERE

STATE OF NEVADA)
COUNTY OF CLARK) SS:

EMILIE PRESCIA, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JUNE 7, 1996 to JUNE 7, 1996, on the following days:

JUNE 7, 1996

Signed: Emilie Prescia

Subscribed and sworn to before me this

10 day of June, 19 96

Peggy D. Barron
Notary Public

BILL NO. 96-57
ORDINANCE NO. _____
AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.
PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and 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 the 5th day of June, 1996, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on the 19th day of June, 1996.
Filed: June 7, 1996
Las Vegas Review-Journal
Kathleen Tighe
City Clerk



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1999

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 96-57
ORDINANCE NO. 3996
(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the 5th day of June, 1996, and was passed at the meeting held on the 19th day of June, 1996, by the following vote of the City Council:

Those Voting Aye:
Arnie Adamsen
Matthew Q. Callister
Gary Reese
Those Voting Nay: NONE
Those Absent: Jan Lavery Jones
Michael J. McDonald

This Ordinance shall be in full force and effect from and after the 22th day of June, 1996, 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 19th day of June, 1996.
/s/ JAN LAVERTY JONES
Mayor
Attest:
/s/ KATHLEEN TIGHE
City Clerk
PUB: June 21, 1996
Las Vegas Review-Journal

STATE OF NEVADA)
COUNTY OF CLARK) SS:

DIANE TOMSHA, being first duly sworn, deposes and says:

That she/he is a 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 of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of JUNE 21, 1996 to JUNE 21, 1996, on the following days:

JUNE 21, 1996

RECEIVED
CITY CLERK
JUN 20 10 34 AM '96

Signed: [Signature]

Subscribed and sworn to before me this 21 day of June, 19 96

[Signature]
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

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(of Las Vegas, Nevada)

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DATED this 19th day of June, 1996.
s/ JAN LAVERTY JONES
Mayor

Attest:
s/ KATHLEEN TIGHE
City Clerk
PUB: June 21, 1996
Las Vegas Review-Journal

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COUNTY OF CLARK) SS:

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JUNE 21, 1996

RECEIVED
CITY CLERK
JUN 26 10 34 AM 1996

Signed: *Diane Tomsha*

Subscribed and sworn to before me this 21 day of June, 1996

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998



086488

AFFIDAVIT OF PUBLICATION

RECEIVED
CITY CLERK
JUN 19 11 42 AM '96

PASTE CLIPPING HERE

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COUNTY OF CLARK) SS:

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JUNE 7, 1996

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PREVIOUSLY TAKEN, APPROVING THE FORM OF A CONTINUING DISCLOSURE
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at a regular meeting of the City Council of the City of Las Vegas held on the 19th day of
June, 1996

PUB: June 7, 1996
Las Vegas Review-Journal

/s/ Kathleen Tighe
City Clerk

Signed: Emilee Prescia

Subscribed and sworn to before me this

10 day of June, 19 96

Peggy D. Barron
Notary Public



PEGGY D. BARRON
Notary Public - Nevada
Clark County
My appt. exp. Feb. 17, 1998

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126. **ABEYANCE ITEM - Z-38-96 - Smoke Ranch-Jones Partnership** - Request for a Rezoning on property located on the west side of Jones Boulevard, approximately 400 feet north of Smoke Ranch Road - From: N-U (Non-Urban) - To: C-1 (Limited Commercial) - Ward 4 (Callister).
127. **Z-44-96 - Steven M. Terry Family Trust** - Request for a Rezoning on property located at 2107 West Bonanza Road - From: R-E (Residence Estates) - To: C-M (Commercial Industrial) and C-2 (General Commercial) - Proposed Use: 20,000 SQUARE FOOT WAREHOUSE AND SHOWROOM - Ward 3 (Reese).
128. **Z-45-96 - Joseph Argier** - Request for a Rezoning on property located at 1905 West Bonanza Road - From: R-E (Residence Estates) - To: C-M (Commercial Industrial) and C-2 (General Commercial) - Proposed Use: 1,600 SQUARE FOOT OFFICE AND THE STORAGE OF USED CONSTRUCTION VEHICLES - Ward 3 (Reese).
129. **Z-46-96 - Dianne Herr** - Request for a Rezoning on property located at 1529 West Bonanza Road - From: R-E (Residence Estates) - To: C-2 (General Commercial) - Proposed Use: 2,180 SQUARE FOOT OFFSET PRINTING BUILDING - Ward 3 (Reese).

130. **Z-48-96 - Wylie Construction on behalf of Lawrence V. and Madeline Murphy-Lesky** - Request for a Rezoning on property located on the west side of Leonard Lane between Lake Mead Boulevard and Vegas Drive - From: R-E (Residence Estates) - To: R-PD3 (Residential Planned Development 3 units per acre) - Proposed Use: 14 SINGLE FAMILY DWELLINGS - Ward 4 (Callister)

GENERAL PLAN AMENDMENT - PUBLIC HEARING

131. **ABEYANCE ITEM - GPA-16-96 - E. A. Collins and Dene E. Krametbauer** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: R (Rural Density Residential) - To: O (Office) - Ward 1 (McDonald).

ZONING RECLASSIFICATION RELATED TO GPA-16-96 - PUBLIC HEARING

132. **ABEYANCE ITEM - Z-27-96 - E. A. Collins and Dene E. Krametbauer** - Request for a Rezoning on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: N-U (Non-Urban) - To: C-1 (Limited Commercial) - Proposed Use: 44,700 SQUARE FOOT, TWO-STORY PROFESSIONAL OFFICE BUILDING - Ward 1 (McDonald).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

133. **GPA-19-96 - Fletcher Jones Sr. Trust** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the southwest corner of Owens Avenue and Lamb Boulevard - From: SC (Service Commercial) - To: M (Medium Density Residential) - Ward 3 (Reese).

ZONING RECLASSIFICATION RELATED TO GPA-19-96 - PUBLIC HEARING

134. **Z-47-96 - Fletcher Jones Sr. Trust** - Request for a Rezoning on property located on the southwest corner of Owens Avenue and Lamb Boulevard - From: R-E (Residence Estates) - To: C-1 (Limited Commercial) and R-PD18 (Residential Planned Development 18 units per acre) - Proposed Use: 4,000 SQUARE FOOT CONVENIENCE STORE AND 256 APARTMENTS - Ward 3 (Reese).

GENERAL PLAN AMENDMENT - PUBLIC HEARING

135. **GPA-21-96 - Nevada Power Company** - Request to amend a portion of the Northwest Sector of the General Plan on property located on the northeast corner of Jones Boulevard and Azure Drive - From: R (Rural Density Residential) - To: PF (Public Facilities) - Ward 4 (Callister). **NOTE: APPLICANT HAS REQUESTED ITEM BE HELD IN ABEYANCE UNTIL THE 7/3/96 CITY COUNCIL MEETING.**

ZONING RECLASSIFICATION RELATED TO GPA-21-96 - PUBLIC HEARING

136. **Z-50-96 - Nevada Power Company** - Request for a Rezoning on property located on the northeast corner of Jones Boulevard and Azure Drive - From: R-E (Residence Estates) - To: C-V (Civic) - Proposed Use: NEVADA POWER SUBSTATION - Ward 4 (Callister). **NOTE: APPLICANT HAS REQUESTED ITEM BE HELD IN ABEYANCE UNTIL THE 7/3/96 CITY COUNCIL MEETING.**

137. 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

**CITY COUNCIL MEETING
CITY HALL, 400 EAST STEWART
CITY COUNCIL CHAMBERS
WEDNESDAY, JUNE 19, 1996
9:00 A.M.**

ADDENDUM NO. 1 - ADMINISTRATIVE - CONSENT AGENDA

- 3-A** Action To Approve The Modification Of The Professional Services Contract Between The City Of Las Vegas And Facility Technics For The Comprehensive Long-Term Facilities Masterplan.

ADDENDUM NO. 2 - PUBLIC WORKS DEPARTMENT - CONSENT AGENDA

ENCROACHMENT REQUEST

- 57-A** STRATOSPHERE HOTEL & CASINO, 2000 S. Las Vegas Boulevard, Applicant proposes to encroach into the public right of way on the east side of Fairfield Avenue at Boston Avenue consisting of four (4) each foundation piers and pads encroaching a maximum of approximately seven feet (7') into the right-of-way underneath the sidewalk to provide support for the proposed Stratosphere Aquarium. Applicant has signed an Encroachment Agreement which has conditions of liability, maintenance and removal.

ADDENDUM NO. 3 - ADMINISTRATIVE - DISCUSSION AGENDA

- 69-A** Discussion and possible action to place on the November, 1996 general election ballot an advisory question regarding equalization of taxes between cities and the county.
- 69-B** Discussion and possible action to place on the November, 1996 general election ballot an advisory question regarding consolidation of city and county government.

ADDENDUM NO. 4 - NEIGHBORHOOD SERVICES - DISCUSSION AGENDA

- 74-A** Discussion Regarding The Status Of The Moulin Rouge Section 108 Loan

ADDENDUM: 5 - VIII. NEW BILLS DISCUSSION AGENDA

- 98-A** **EMERGENCY - Bill No. 96-68** -- Clarifies that the provisions of LVMC 6.40.150, as amended by Ordinance No. 3472 (relating to gaming enterprise districts), do not authorize additional nonrestricted gaming and do not limit the applicability or effect of the zoning regulations contained in Title 19. Sponsored by: Mayor Jan Laverty Jones

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
Downtown Transportation Center, City Clerk's Board

Clark County Courthouse, 200 S. Third Street
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)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

DEPARTMENT OF DETENTION & ENFORCEMENT

79. Discussion And Possible Action Regarding The Animal Care Shelter Agreement With The Animal Foundation International.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

SECONDHAND DEALER LICENSE – New

80. CLASS II, ADALBERT CANCIO, dba AL'S SERVICES AND REFRIGERATION, 1040 South Main, Adalbert Cancio, 100%

MARTIAL ARTS LICENSE – Six Month Review

81. **ABEYANCE ITEM** - MICHAEL EVANS, dba DESERT SUN TAE KWON DO, 1725 South Rainbow Blvd. #22 & 23, Michael Evans, 100%

LOCKSMITH LICENSE – Change of Ownership/Change of Location/Change of Business Name

82. From: Loy Wong, dba A Abet Mobile Lock & Key, 6123 Clarice Avenue, TO: ROADRUNNER LOCKSMITHS, INC., dba VEGAS VALLEY PROFESSIONAL LOCKSMITHS, 2969 South Highland, John W. Aagenes, Dir, Pres, 100%, Subject to the provisions of the planning and fire codes. Also, subject to a favorable report by the Las Vegas Metropolitan Police Department
83. **ABEYANCE ITEM** - Discussion And Approval Of Interlocal Agreement For Collection Of Delinquent City Sewer Fees By Clark County Treasurer

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEMS

84. Discussion And Possible Approval Of A Request To Restrict Trucks Between The Hours Of 6:00pm And 8:00am On Certain City Streets

IV. RESOLUTIONS

85. R-36-96 - Approval of Resolution to amend Schedule 29-II In Accord With Traffic & Parking Item 84.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

86. **Bill No. 96-45** – Requires cosmetological establishments to pay a semiannual license fee based on the number of customer chairs. Sponsored by: Councilman Arnie Adamsen - Held in Abeyance From Council Meeting of 4/17/96
87. **Bill No. 96-46** – Basis the semiannual business license fee for barbershops on the number of customer chairs. Sponsored by: Councilman Arnie Adamsen Held in Abeyance From Council Meeting of 4/17/96

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.

88. **Bill No. 96-52** – Amends and Restates the Fremont Street Experience Project Development Agreement and the Management Agreement for the Fremont Street Experience Project.

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.

89. **Bill No. 96-53** – Defines the term "shoe shine stand business" and provides a semiannual licensing fee for said business. Sponsored by: Councilman Arnie Adamsen
90. **Bill No. 96-54** – Removes armored car service businesses from the privileged business licensing requirements. Sponsored by: Councilman Arnie Adamsen

91. **Bill No. 96-55** – Reduces parking fine by fifty percent for parking longer than posted time if the fine is paid within fifteen days of the issuance of a notice of infraction. Sponsored by: Councilman Arnie Adamsen
92. **Bill No. 96-56** – Requires all businesses renting rooms or other temporary accommodations for a period of thirty days or less, with or without meals included in the rent, to be licensed. Sponsored by: Mayor Jan Lavery Jones
93. **Bill No. 96-57** – An Ordinance Concerning The City Of Las Vegas, Nevada Special Improvement District No.707 (Summerlin Area); Authorizing The Issuance Of Local Improvement Bonds, Series July1, 1996 For The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) In The Aggregate Principal Amount Of \$40,000,000 To Finance The Acquisition And Improvement Of A Street Project, Storm Sewer Project, And Water Project; Ratifying The Sale Of Such Bonds To The Purchaser Thereof; Ratifying, Approving And Confirming All Action Previously Taken; Approving The Form Of A Continuing Disclosure Agreement Relating To The Bonds; Prescribing The Form Of Said Bonds, Providing The Source Of Payment And Other Details In Connection Therewith And Other Matters Relating Thereto; Amending Ordinance No. 3993 And Providing The Effective Date Hereof.
94. **Bill No. 96-58** – Requires radio and television stations to have a business license and pay a semiannual license fee. Sponsored by: Mayor Jan Lavery Jones
95. **Bill No. 96-59** – Removes the requirement that public bus transportation systems owned by a governmental entity have a City business license. Sponsored by: Councilman Arnie Adamsen
96. **Bill No. 96-60** – Annexation No. A-1-96(A), Property Located: On the southwest corner of Jones Boulevard and Peak Drive, Petitioned by: Robert and Patricia Schnider, Acreage: Approximately 2.32, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
97. **Bill No. 96-61** – Annexation A-2-96(A), Property Located: South of Deer Springs Way between El Capitan Way and Durango Drive, Petitioned by: Lied Foundation Trust, et al, Acreage: Approximately 115.72, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
98. **Bill No. 96-62** – Amends Title 13, Chapter 20 of the Las Vegas Municipal Code, 1983 Edition, to provide for time restrictions on construction work in city streets and providing certain waivers therefrom. Sponsored by: Councilman Arnie Adamsen

2:00 P.M. – AFTERNOON SESSION

99. 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

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. In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must first be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6)

Parking and driveway plans must first be approved by the Traffic Engineer. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

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

REINSTATEMENT AND EXTENSION OF TIME

100. **Z-84-94(1) - Lied Foundation Trust** - Request for a Reinstatement and Extension of Time for a single family dwelling subdivision on property located on the northwest corner of Tropical Parkway and Decatur Boulevard - R-E (Residence Estates) Zone under Resolution of Intent to R-PD8 (Residential Planned Development) - Size: 42.9 Acres - Parcel Number: A Portion of 125-25-601-002 - Ward 4

EXTENSION OF TIME

101. **Z-138-93(1) - NOLA D. WHIPPLE AND EBBIE L. DAVIS** - Request for an Extension of Time for a 75 unit elderly housing apartment project on property located on the southwest corner of Gay Street and McKnight Street - R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Limited Multiple Residence) - Size: 5.8 Acres - Parcel Numbers: 139-25-407-005 and 139-25-410-027 - Ward 3
102. **Z-9-92(4) - Olind Jenni Family Trust on behalf of Trophy Homes** - Request for an Extension of Time for a single family residential subdivision on property located on the north side of Del Rey Avenue, east of Cimarron Road - R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residence) - Size: 5.05 Acres - Parcel Number: 163-04-503-002 - Ward 1
103. **Z-10-92(4) - Jaye Fourth Family Limited Partnership on behalf of Trophy Homes** - Request for an Extension of Time for a single family residential subdivision on property located on the northeast corner of Cimarron Road and Del Rey Avenue - R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residence) - Size: 5.24 Acres - Parcel Number: 163-04-503-001 - Ward 1
104. **Z-9-94(2) - Chieftain 5 Limited Liability Company and Gowan 20 Limited Liability Company** - Request for an Extension of Time for a single family residential subdivision on property located on the north side of Cheyenne Avenue, approximately 1,400 feet west of Hualapai Way - N-U (Non-Urban) Zone under Resolution of Intent to R-CL (Single Family Compact Lot) - Size: 20.61 Acres - Parcel Numbers: 450-280-025, 026, 031 and 032 - Ward 4

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

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

105. **Z-68-85(24) - Tech Center Associates on behalf of Vista Las Vegas Hotel Development** - Request for a Plot Plan and Building Elevation Review for a 150 room non-gaming hotel on property located on the east side of Tenaya Way, north of Peak Drive - N-U (Non-Urban) Zone under Resolution of Intent to C-PB (Planned Business Park) - Size: 2.8 Acres - Parcel Number: 138-15-612-002 - Ward 4

REVIEW OF CONDITION

106. **Z-68-93(5) - ANN TENAYA PLAZA LIMITED LIABILITY COMPANY** - Request for a review of condition to eliminate the requirement for an additional ten feet of right-of-way for Tenaya Way on property located on the northwest corner of ann road and tenaya way - N-U (Non-Urban) Zone under Resolution of Intent to C-1 (Limited Commercial) - Size: 2.0 Acres - Parcel Number: 125-27-801-001 - WARD 4
107. **Z-69-93(4) - Las Vegas Housing Partners Limited Partnership** - Request for a Review of Condition to delete the requirement to construct two lanes of temporary connecting paving between the east edge of this site and the existing half-street improvements adjacent to the Greenwood Terrace subdivision if a paved connection does not already exist, on property located on the north side of Bonanza Road, approximately 960 feet east of Pecos Road - R-E (Residence Estates) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to R-3 (Limited Multiple Residence) - Size: 13.6 Acres - Parcel Number: 140-30-01-002 - Ward 3

REVIEW OF CONDITION - PUBLIC HEARING

108. **ABEYANCE ITEM - Z-43-78(1) - V A Associates** - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicle access on property located at 1707 West Charleston Boulevard - C-1 (Limited Commercial) Zone and P-R (Professional Offices and Parking) Zone - Ward 1
109. **Z-10-82(2) - Security Capital Pacific** - Hearing requested by Councilman Arnie Adamsen to review the status of the non-compliance by Security Capital Pacific to conditions imposed by the City Council on a Review of Condition to delete the requirement for 24 inch box evergreen trees, 20 feet on center, in the planter along the north property line, on property located at 8600 West Charleston Boulevard - R-3 (Limited Multiple Residence) Zone - Ward 2
110. **U-328-94(1) - Scott Fitzhugh, Inc.** - Request for a Review of Condition of Approval of a Special Use Permit which restricted the hours of operation for a proposed customer operated car wash (this request would allow the car wash to operate 24 hours a day) on property located at 7501 Alta Drive - C-1 Zone - Ward 2

STREET TERMINATION - PUBLIC HEARING

111. **ST-2-95(1) - City of Las Vegas** - Discussion and possible action by the City of Las Vegas to permanently close Del Amo Drive (a dedicated public right-of-way) on the north side of Charleston Boulevard, east of the I-515 Freeway - Ward 3

VACATION - PUBLIC HEARING

112. **VAC-17-96 - Sun Harbor Budget Suites Limited Liability Company of Nevada** - Petition to vacate an alley and a portion of a public right-of-way spandrel generally located on the northwest corner of Rancho Drive and Lake Mead Boulevard - Ward 4
113. **VAC-19-96 - City of Las Vegas** - Petition to vacate a portion of the east half of Mojave Road, generally located between Bonanza Road and the I-515 Freeway - Ward 3

SPECIAL USE PERMIT - PUBLIC HEARING

114. **ABEYANCE ITEM - U-74-95 - Robert Black, Et Al** - Request for a Special Use Permit for a 14 foot by 48 foot off-premise advertising (billboard) sign on property located at 7200 West Lake Mead Boulevard - C-1 Zone - Ward 4
115. **ABEYANCE ITEM - U-16-96 - Gordon & Silver, Ltd., on behalf of Charleston Commons Associates Limited Partnership** - Appeal filed by Gordon & Silver, Ltd., on behalf of Charleston Commons Associates Limited Partnership for a Special Use Permit for a proposed tavern within an existing shopping center; and a request for a waiver of the 1,500 foot distance separation requirement from similar establishments on property located at 111 North Nellis Boulevard - C-1 Zone - Ward 3
116. **ABEYANCE ITEM - U-27-96 - 150 Spear Street Association on behalf of T.G.I. Friday's** - Request for a Special Use Permit for a tavern; and a request for a waiver of the 1,500 foot distance separation requirement from another tavern on property located on the north side of Sahara Avenue, approximately 670 feet west of Arville Street - C-1 Zone - Ward 1

ZONING RECLASSIFICATION - PUBLIC HEARING

117. **Z-38-96 - Smoke Ranch-Jones Partnership** - Request for a rezoning on property located on the west side of Jones Boulevard, approximately 400 feet north of Smoke Ranch Road - From: N-U (Non-Urban) To: C-1 (Limited Commercial) - Proposed Use: 19,000 SQUARE FOOT THRIFT STORE RETAIL OUTLET - Ward 4
118. **Z-39-96 - Highland Investments, Inc., Et Al** - Request for a rezoning of property located on the south side of Gilmore Avenue, approximately 330 feet west of Fort Apache Road - From: N-U (Non-Urban) To: R-CL (Single Family Compact Lot) - Proposed Use: 99 SINGLE FAMILY DWELLING SUBDIVISION - Ward 4

GENERAL PLAN AMENDMENT - PUBLIC HEARING

119. **GPA-12-96 - Charleston - Montessori "A", Et Al and Leonard and Elizabeth Capri on behalf of Lincoln Property Company** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the south side of West Charleston Boulevard, approximately 990 feet west of Rainbow Boulevard - From: SC (Service Commercial) and ML (Medium-Low Density Residential) To: M (Medium Density Residential) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-12-96 - PUBLIC HEARING

120. **Z-31-96 - Charleston - Montessori "A", Et Al and Leonard and Elizabeth Capri on behalf of Lincoln Property Company** - Request for a rezoning of property located on the south side of Charleston Boulevard, approximately 990 feet west of Rainbow Boulevard - From: N-U (Non-Urban) To: R-PD20 (Residential Planned Development) - Proposed Use: 208 UNIT APARTMENT COMPLEX - Ward 1

GENERAL PLAN AMENDMENT - PUBLIC HEARING

121. **GPA-14-96 - Chaisson Family Trust** - Request to amend a portion of the Northwest Sector of the General Plan on property located on the north side of Cheyenne Avenue, approximately 660 feet east of Hualapai Way - From: ML (Medium-Low Density Residential) To: M (Medium Density Residential) - Ward 4

ZONING RECLASSIFICATION RELATED TO GPA-14-96 - PUBLIC HEARING

122. **Z-36-96 - Chaisson Family Trust** - Request for a rezoning of property located on the north side of Cheyenne Avenue, approximately 660 feet east of Hualapai Way - From: N-U (Non-Urban) To: R-PD19 (Residential Planned Development) - Proposed Use: 190 UNIT TWO-STORY CONDOMINIUM COMPLEX - Ward 4

GENERAL PLAN AMENDMENT - PUBLIC HEARING

123. **GPA-16-96 - E. A. Collins and Dene E. Krametbauer** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: R (Rural Density Residential) To: O (Office) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-16-96 - PUBLIC HEARING

124. **Z-27-96 - E. A. Collins and Dene E. Krametbauer** - Request for a rezoning on property located on the southwest corner of Buffalo Drive and Via Olivero Avenue - From: N-U (Non-Urban) To: C-1 (Limited Commercial) - Proposed Use: 44,700 SQUARE FOOT, TWO-STORY PROFESSIONAL OFFICE BUILDING - Ward 1

GENERAL PLAN AMENDMENT - PUBLIC HEARING

125. **GPA-18-96 - Stratosphere Corporation** - Request to amend a portion of the Downtown Development Plan on property located on the northeast corner of Fairfield Avenue and Philadelphia Avenue - From: H (High Density Residential/Commercial Rehab) To: TC (Tourist Commercial) - Ward 1

ZONING RECLASSIFICATION RELATED TO GPA-18-96 - PUBLIC HEARING

126. **Z-43-96 - Stratosphere Corporation** - Request for a rezoning of property located on the northeast corner of Fairfield Avenue and Philadelphia Avenue - From: R-4 (Apartment Residence) To: C-2 (General Commercial) - Proposed Use: 163,625 SQUARE FOOT EMPLOYEE PARKING LOT - Ward 1

VACATION RELATED TO GPA-18-96 AND Z-43-96 - PUBLIC HEARING

127. **VAC-21-96 - Stratosphere Corporation** - Petition to vacate the dedicated public alleys generally located in the block bounded by Chicago Avenue, Fairfield Avenue, Philadelphia Avenue and Commerce Street - Ward 1
128. 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.

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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

(Notice of June 19, 1996
City Council Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

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

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REESE

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.

JUNE 19, 1996

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 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 - Father Bill Kenny, Christ The King Catholic Church
- PLEDGE OF ALLEGIANCE
- PROCLAMATION PROCLAIMING WEDNESDAY, JUNE 19, 1996 AS "FATHER BILL KENNY 25TH JUBILEE DAY"
- PRESENTATION OF CERTIFICATES OF APPOINTMENT TO THE MULTI-JURISDICTIONAL COMMUNITY EMPOWERMENT COMMISSION.
- PRESENTATION BY AMERICAN NATIONAL TEENAGER, NEVADA CHAPTER, ON "WHAT'S RIGHT ABOUT AMERICA."
- RECOGNITION OF SUE BRNA AND STUDENT VOLUNTEERS FOR WARD I CLEANUP.
- PRESENTATION OF THE 1996 WILLIE W. DAVIS MEMORIAL AWARD

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 5/15/96 and the Special Budget Council Meeting of 5/21/96.

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.

ADMINISTRATIVE

3. Approval of Renewal of Assignment Agreement Between LVHA and Boys and Girls Clubs of Las Vegas for the A.D. Guy Activity Center.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

4. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
5. Request approval for scope of work expansion to ThirdWave contract to install horizontal, category five lines and associated equipment for the City Hall network

SPECIAL EVENT LIQUOR LICENSE

6. LAS VEGAS INVITATIONAL, Location: TPC Summerlin, 1700 Village Center Circle, Date: October 2-6, 1996, Type: Special Event General, Responsible Person in Charge: Jason Weckel
7. SILVER STATE PAINT CENTER, Location: 401 South Maryland Parkway, Date: 6/27/96, Type: Special Event General, Responsible Person in Charge: Donna Greenough

LIQUOR – New

8. SUPPER CLUB LICENSE, EAST SIDE MARIO'S OPERATING CORPORATION, dba EAST SIDE MARIO'S, 6750 West Sahara, (East Side Mario's Operating Corporation, a wholly-owned subsidiary of East Side Mario's Restaurants, Inc., which is a wholly-owned by both Pizza Hut, Inc. and PepsiCo, Inc.) East Side Mario's Operating Corporation – Teresa J. Roll, Dir, Pres, Treas, Brian H. Cole, Dir, V.P., Secy; East Side Mario's Restaurants, Inc. – Mark L. Bromberg, Dir, Pres, Teresa J. Roll, V.P., Brian H. Cole, Secy, Subject to the provisions of the planning and fire codes and Health Department regulations
9. BEER/WINE/COOLER OFF-SALE LICENSE, K & Z CORP, dba K & Z MARKET, 1109 East Stewart, Kim D. Saleim, Dir, Pres, Secy, Treas, 100%
10. BEER/WINE/COOLER OFF-SALE LICENSE, JUNG CORP., dba FASTY'S FOOD MART, 4701 West Lake Mead, Gil Young Jung, Pres and Susan K. Jung (100% jointly as husband & wife), Subject to the provisions of the planning and fire codes and Health Department regulations
11. BEER/WINE/COOLER ON-SALE LICENSE, SESTO & SESTO, dba MISS ITALIA CAFFE BAR, 2243 North Rampart Blvd., Giampaolo Sesto and Kellie Sesto, 100% jointly as husband and wife; **NOTE: Item to be heard in PM session in conjunction with Planning item #U-40-96**

LIQUOR – Change of Business Name

12. From: Flame Bar-B-Q Restaurant, TO: BEER/WINE/COOLER ON-SALE LICENSE, FLAME BAR-B-QUE, INC., dba STRAIGHT FROM PHILLY STEAKOUT, 1770 South Rainbow, Isidoros Frangakis, Dir, Pres, 50%, Clarence E. Yohn, Dir, Secy, Treas, 50%, Lorraine C. Tobler, Manager

LIQUOR – Change of Ownership/Change of Location/Change of Business Name

13. TAVERN LICENSE, From: L.R.P. Corporation, dba Social Circle Bar, 235 North Eastern (nonoperational); TO: ADM, INC., dba THE BAR, 1201 Las Vegas Blvd. South, David L. Floyd, Dir, Pres, 33 1/3%, Allen L. Newell, Dir, V.P., 33 1/3%, Mary Floyd, Dir, Secy, Treas, 33 1/3%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR – Approval of Stockholder/Officer

14. TAVERN LICENSE, SZECHWAN CORPORATION, dba SZECHWAN CHINESE RESTAURANT, 3101 West Sahara, Julie Shu-May Young, Dir, Pres, Secy, Treas, 100%

LIQUOR – Approval of Regional Manager

15. PACKAGE LICENSE, TRADER JOE'S CO, dba TRADER JOE'S, 2101 South Decatur, Susan E. L'Africain, Area Manager

LIQUOR & GAMING – New

16. TAVERN LICENSE, RESTRICTED GAMING: 15 slots, MEATHEADS, LLC, dba MEATHEADS I, 4734 Faircenter Parkway, SES Gaming, Inc., Member, 99% – Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, II, Dir, Pres, 14%, Bradley B. Stunkel, Dir, 14%, Sheldon E. Stunkel, Jr., Dir, 14%, Lee A. Shapiro, Dir, V.P., Secy, Treas, 7%, Subject to the provisions of the fire codes and Health Department regulations, Approved by the Nevada Gaming Commission on May 23, 1996
17. TAVERN LICENSE, RESTRICTED GAMING: 15 slots, DUKE'S PLACE, LLC, dba DUKE'S PLACE, 4437 West Charleston, SES Gaming, Inc., Member, 99%, Sheldon E. Stunkel, Sr., COB, 51%, Robert V. Stunkel, II, Dir, Pres, 14%, Bradley B. Stunkel, Dir, 14%, Sheldon E. Stunkel, Jr., Dir, 14%, Lee A. Shapiro, Dir, V.P., Secy, Treas, 7%, Subject to the provisions of the fire codes and Health Department regulations, Approved by the Nevada Gaming Commission on May 23, 1996

GAMING -- New

18. SLOT OPERATOR LICENSE, E-T-T, INC., Space Lease Location at: Santa Fe Mining Company, 5021 North Rainbow, Restricted Gaming: 15 slots, Subject to approval by the Nevada Gaming Commission on June 19, 1996

BURGLAR ALARM LICENSE -- New

19. CONSTRUCTION ELECTRONICS, INC., dba CONSTRUCTION ELECTRONICS, INC., 2550 Chandler Avenue, David E. Sinclair, Dir, Pres, Treas, 50%, Mikey R. Sinclair, Dir, Secy, 50%

LOCKSMITH LICENSE -- New

20. DAVID SHORT, dba ALWAYS DEPENDABLE LOCKSMITHS, 1973 North Nellis, David A. Short, 100%
21. SILVER SWORD LOCKSMITH, INC., dba POP-A-LOCK, 232 North Jones Blvd., Michael L. Killgore, Dir, Pres, 50%, Kay A. Killgore, Dir, Secy, Treas, 50%

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

22. Award of Bid Number 96.7254.18, Water Pollution Control Facility Paving Rehabilitation - Department of Public Works - Award Recommended to: ABREGO INC. DBA MACCO ENGINEERING AND CONSTRUCTION (\$2,499,999)
23. Award of Bid Number 96.1730.16, 1995-1996 Street Rehabilitation Huntridge IIB - Department of Public Works - Award Recommended to: RICHARDSON CONSTRUCTION, INC. (\$1,155,777.63)
24. Award of Bid Number 95.2610.10, An San Sister City Park, Phase II - Department of Parks and Leisure Activities - Award Recommended to: LAS VEGAS PAVING CORPORATION (\$459,766)
25. Award of Bid Number 97.Jul.1, Annual Contract for Bulk Liquid Chlorine - Department of Public Works - Award Recommended to: ALL PURE CHEMICAL (\$117,396)
26. Award of Bid Number 97.Jul.04, Annual Contract for Hewlett-Packard Printers and Accessories Department of Finance and Business Services - Award Recommended to: COMPUSA (\$81,570)
27. Award of Bid Number 96.1772.03, Traffic Signals for Summerlin Parkway/Rampart Boulevard Interchange - Department of Public Works - Award Recommended to: DESERT CONSTRUCTION (\$163,318.75)
28. Award of Bid Number 96.Mar.7, Annual Contract for Herbicides and Insecticides - Department of Parks and Leisure Activities - Award Recommended to: HELENA CHEMICAL CO. (\$46,000)
29. Renewal of Bid Number 96.Jul.11, Annual Unleaded Gasoline and Diesel Fuel Contract - Department of General Services - Award Recommended to: REBEL OIL COMPANY (\$445,000)
30. Rejection of Bidders and Award of Bid Number 96.3341.02, One (1) Compaq Proliant 4500R Rack Mounted Server System - Various Departments - Award Recommended to: CONNECTING POINT OF LAS VEGAS (\$44,719.73)
31. Rejection of Bidders and Award of Bid Number 97.Aug.01, Annual Contract to print "City Talk" Newsletter - Department of General Services - Award Recommended to: QUALITY IMPRESSIONS (\$72,000)
32. Rejection of Bidder and Award of Bid Number 96.1739.01, Rampart Interchange Landscape - Department of Public Works - Award Recommended to: TRI-T LANDSCAPING OF NEVADA (\$529,141)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

33. Purchase Order Approval for Public Defender Representation for Indigents - Department of Municipal Court - Award Recommended to: CLARK COUNTY TREASURER (\$496,678)
34. Purchase Order Approval for Professional Staff Development Training for the City's Information Systems Staff - Department of Finance and Business Services - Award Recommended to: BACHMAN INFORMATION SYSTEMS (\$36,000), OPENWARE TECHNOLOGIES, INC. (\$14,000), GLOBAL KNOWLEDGE NETWORK (\$234,000), THIRDWAVE CORPORATION (\$8,700), BORLAND INTERNATIONAL (\$73,400)
35. Purchase Order Approval for Document Plotter for the Plans Library - Department of Finance and Business Services - Award Recommended to: JAPAN DIGITAL LABORATORY CO. (\$38,120.53)

36. Award of Annual Purchase Orders for Instructors for Municipal Court-Ordered Defendant Classes - Department of Municipal Court - Award Recommended to: PATRICIA BROWN-ALLMAN, JOHN HARNEY, WILLIAM JACKSON, GREGORY MCCURDY, DAVID MOODY, GAIL MOSES, GARY PLANCHON, KEITH ROYLANCE, JAMES STILES, JOSE TRONCOSO (\$115,200)
37. Annual Purchase Orders Approval for Inmate Commissary Supplies - Department of Detention and Enforcement - Award Recommended to: VEGA WHOLESALE (\$35,000), LANDER COMPANY, INC. (10,000), CAPITAL ENTERPRISES (\$5,000), ACCESS CATALOG COMPANY (\$5,000), HOWLETT-OLSON FOOD (\$9,645), BRADY INDUSTRIES (\$10,576.92), CRAWFORD JAIL SUPPLY (\$6,577.08)
38. Award of Annual Purchase Orders for Alternate Judges - Department of Municipal Court - Award Recommended to: RONALD BARRON, NEIL BELLER, EDWARD BERNSTEIN, VICTOR BUNITSKY, MICHAEL CHERRY, JOHN CURTAS, KYM CUSHING, KEITH GALLIHER, LARRY KETZENBERGER, ROBERT KNOTT, GARY LANG, JOHN LAVERY, THOMAS LEEN, CUTHBERT MACK, ROBERT MASSI, LAWRENCE MOORE, BRIAN MORRISON, WALTER NORWOOD, ROBERT QUALEY, NATHANIEL REED, SUSAN SCANN, THOMAS SHEETS, LAURA UNGARO, GERALD WAITE (\$52,000)
39. Award of Purchase Order for Workbooks and Video Tapes for Municipal Court-Ordered Defendant Classes - Department of Municipal Court - Award Recommended to: NATIONAL SAFETY COUNCIL(\$47,370)

SUBSTITUTION OF SUBCONTRACTOR

40. Substitution of Subcontractor, Bid Number 96.1739.06, ADA Accessibility Improvements at Mirabelli Community Center - Department of Parks and Leisure Activities - Award Recommended to: SOUTHWEST PLUMBING

DEPARTMENT OF HUMAN RESOURCES

41. Approval To Upgrade An Office Specialist II To A Publicity Specialist I Position, Parks & Leisure Activities.
42. Approval To Reallocate A Fire Training Specialist To A Fire Training Officer Position, Fire Services.
43. Approval Of Partial Disability Award For An Industrial Injury On Claim #9508-06.
44. **REPORT OF NEW HIRES - MAY 15 - JUNE 5, 1996** - City Administrative Receptionist, City Manager; Custodian I (X), General Services; Office Specialist II, General Services; Administrative Secretary, Public Works; Construction Inspector I (X), Public Works, Office Specialist II, Public Works; Theatre Technician, Parks & Leisure Activities; Utility Worker II, Parks & Leisure Activities.

NEIGHBORHOOD SERVICES

45. Action To Approve Amendment To Community Development Block Grant (CDBG) Rehabilitation Funding Agreement With Economic Opportunity Board (EOB) For Multi-Family Housing Units, Located At 618 West Washington And 415 West Adams
46. Action To Approve The Continuum Of Care Strategy Developed By The Neighborhood Services Department As Part Of Our Community's Consolidated Application For HUD's 1996 Homeless Assistance Funding
47. Action To Approve Amendment To Operational Agreement Of Las Vegas Village
48. Action To Approve Amendments To The Policies & Guidelines For Residential Rehabilitation Assistance Programs

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

49. Request approval to accept the Las Vegas Housing Authority Grant for the Youth Sports/Inner City Games proposal.
50. Request approval to accept the Las Vegas Housing Authority Grant for the Late Nite Hoops Basketball Program.

PLANNING AND DEVELOPMENT DEPARTMENT

51. Action To Approve An Amendment To The Agreement With EDAW, Inc., For Planning And Design Services In Support Of Downtown Redevelopment
52. Renewal of Bureau of Land Management (BLM) Recreation and Public Purpose Lease N-37057 for a Fire Station - Location at Fort Apache and Moccasin

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

53. From: TYMER FAMILY LIMITED PARTNERSHIP, CONSISTING OF NORMAN TY HILBRECHT AND MERCEDES L. HILBRECHT, To: City of Las Vegas, For: Portions of Government Lots 33 and 34 in the Southwest Quarter (SW 1/4) of Section 7, T20S, R60E, M.D.M., for dedication of rights-of way on Cheyenne Avenue and Hualapai Way (50'), located on the east side of Hualapai Way and the north side of Cheyenne Avenue (5-20-96) 138-07-401-003 & 004
54. From: SUMMIT HOLDINGS, LLC, To: City of Las Vegas, For: Portions of the Southeast Quarter (SE1/4) of Section 12, T20S, R59E, M.D.M., for dedication of rights-of-way on Cheyenne Avenue and Hualapai Way (50'), located on the west side of Hualapai Way and the north side of Cheyenne Avenue (5-17-96) 450-280-028
55. From: THE CLARK COUNTY SCHOOL DISTRICT, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 2, T21S, R60E, M.D.M. for a total 25' radius located at the northwest corner of Oakey Boulevard and Torrey Pines Drive (4-23-96) 163-02-203-001

RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES

56. From: SILVER STATE HOLDING COMPANY, A NEVADA CORPORATION, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 28, T20S, R60E, M.D.M. for dedication of a 7' x 40' drainage easement at the southwest corner of Buffalo Drive and Vegas Drive (5-22-96) 138-28-501-005

ENCROACHMENT REQUEST

57. MARION BENNETT, 1230 West Owens Avenue, Applicant proposes to encroach into the public right of way on "K" Street, north of Owens Avenue as a requirement of Z-98-94 consisting of trees, crushed rock, an irrigation system, and a reduced pressure principle assembly (RPPA) in the five foot (5') wide strip of land along the west edge of the "K" Street right-of-way, including a portion of the radius on the northwest corner of Owens Avenue and "K" Street.

TRAFFIC & PARKING ITEMS

58. Discussion And Possible Approval Of A Request To Change The Speed Limit To 30 MPH On Thomas Ryan, Del Webb, And Sun City Boulevards At All Points In The City
59. Discussion And Possible Approval Of A Request To Prohibit Parking On The East Side Of Rainbow Boulevard Between Cheyenne Avenue And Smoke Ranch

REPORT/ACTION ITEMS:

60. Discussion And Possible Approval Of Supplemental Agreement For Roadway And Drainage Channel Improvements On Buffalo Drive
61. Discussion And Possible Approval Of A Consultant Agreement With CH2M Hill For Engineering Services
62. Discussion And Possible Approval Of A Professional Services Agreement With Glanville Associates For Design Of Rafael Rivera Fields
63. Discussion And Possible Approval To Reimburse Summerlin For The Construction Of Angel Park Offsite Road Improvements On Hualapai Way

IV. RESOLUTIONS

64. R-37-96 - Approval of Resolution to amend Schedules 17-111, 17-VI, 25-I, 25-II, 25-IV in accord with Traffic & Parking Items 58 and 59.
65. R-38-96 - Resolution Adopting Interlocal Cooperative Agreement Among The County Of Clark And The Cities Of Las Vegas And North Las Vegas For The Purpose Of Creating A Home Investment Partnerships Consortium For The Department Of Housing And Urban Development
66. R-41-96 - Resolution directing City Treasurer to Prepare Second Assessment Apportionment Report re: Special Improvement District No. 458 (Lake Mead Boulevard)
67. R-42-96 - Resolution approving Second Assessment Apportionment Report re: Special Improvement District No. 458 (Lake Mead Boulevard)

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

DISCUSSION / ACTION ITEMS

ADMINISTRATIVE

- 68. Discussion and possible action on re-establishment of a second Deputy City Manager position
- 69. Discussion and possible action to ratify the City Manager's appointment of Steven P. Houchens as Deputy City Manager

DEPARTMENT OF DETENTION & ENFORCEMENT

- 70. **ABEYANCE ITEM** - Discussion And Possible Action Regarding The Animal Care Shelter Agreement With The Animal Foundation International.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

LIQUOR -- New

- 71. PACKAGE LIQUOR LICENSE, GOURMET PLAZA, INC., dba INTERNATIONAL WINE CHEESE EMPORIA AND DELICATESSEN, 8400 West Sahara, Samuel Mudaro, Pres, 25%, Sheldon Fogel, V.P., 25%, Eva Mudaro, Treas, 25%, Anne Fogel, Secy, 25%, Subject to the provisions of the planning and fire codes and Health Department regulations

LOCKSMITH LICENSE -- One Year Review

- 72. MICHAEL VIDAL dba J & J LOCK & KEY, 5620 West Charleston, Michael Vidal, 100%

LOCKSMITH LICENSE -- Change of Location

- 73. From: 5620 West Charleston, #A, TO: MICHAEL VIDAL, dba J & J LOCK & KEY, 3211 Industrial Road, Michael Vidal, 100%

DEPARTMENT OF GENERAL SERVICES

- 74. Discussion and Possible Action to extend the contract with Bus Stop Shelters of Nevada for the provision of bus stop shelters

DEPARTMENT OF PUBLIC WORKS

TRAFFIC & PARKING ITEMS

- 75. **ABEYANCE ITEM**: - Discussion And Possible Approval Of A Request To Restrict Trucks Between The Hours Of 6:00 P.M. And 8:00 A.M. On Certain City Streets

IV. RESOLUTIONS

- 76. **ABEYANCE ITEM - R-36-96** - Approval of Resolution to amend Schedule 29-II In Accord With Traffic & Parking Item 75.

V. REPORTS FROM RECOMMENDING COMMITTEES

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 77. **Bill No. 96-52** -- Amends and Restates the Fremont Street Experience Project Development Agreement and the Management Agreement for the Fremont Street Experience Project.
- 78. **Bill No. 96-57** -- An Ordinance Concerning The City Of Las Vegas, Nevada Special Improvement District No.707 (Summerlin Area); Authorizing The Issuance Of Local Improvement Bonds, Series July1, 1996 For The City Of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) In The Aggregate Principal Amount Of \$40,000,000 To Finance The Acquisition And Improvement Of A Street Project, Storm Sewer Project, And Water Project; Ratifying The Sale Of Such Bonds To The Purchaser Thereof; Ratifying, Approving And Confirming All Action Previously Taken; Approving The Form Of A Continuing Disclosure Agreement Relating To The Bonds; Prescribing The Form Of Said Bonds, Providing The Source Of Payment And Other Details In Connection Therewith And Other Matters Relating Thereto; Amending Ordinance No. 3993 And Providing The Effective Date Hereof.
- 79. **Bill No. 96-60** -- Annexation No. A-1-96(A), Property Located: On the southwest corner of Jones Boulevard and Peak Drive, Petitioned by: Robert and Patricia Schnider, Acreage: Approximately 2.32, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister

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.

- 80. **Bill No. 96-53** -- Defines the term "shoe shine stand business" and provides a semiannual licensing fee for said business. Sponsored by: Councilman Arnie Adamsen
- 81. **Bill No. 96-54** -- Removes armored car service businesses from the privileged business licensing requirements. Sponsored by: Councilman Arnie Adamsen
- 82. **Bill No. 96-55** -- Reduces parking fine by fifty percent for parking longer than posted time if the fine is paid within fifteen days of the issuance of a notice of infraction. Sponsored by: Councilman Arnie Adamsen
- 83. **Bill No. 96-56** -- Requires all businesses renting rooms or other temporary accommodations for a period of thirty days or less, with or without meals included in the rent, to be licensed. Sponsored by: Mayor Jan Laverty Jones
- 84. **Bill No. 96-58** -- Requires radio and television stations to have a business license and pay a semiannual license fee. Sponsored by: Mayor Jan Laverty Jones
- 85. **Bill No. 96-59** -- Removes the requirement that public bus transportation systems owned by a governmental entity have a City business license. Sponsored by: Councilman Arnie Adamsen
- 86. **Bill No. 96-61** -- Annexation A-2-96(A), Property Located: South of Deer Springs Way between El Capitan Way and Durango Drive, Petitioned by: Lied Foundation Trust, et al, Acreage: Approximately 115.72, Zoned: R-E (County Zoning) N-U (City Equivalent) Sponsored by: Councilman Matthew Q. Callister
- 87. **Bill No. 96-62** -- Amends Title 13, Chapter 20 of the Las Vegas Municipal Code, 1983 Edition, to provide for time restrictions on construction work in city streets and providing certain waivers therefrom. Sponsored by: Councilman Arnie Adamsen

VI. REPORTS FROM REAL ESTATE COMMITTEE

- 88. Discussion and possible action to approve a land sale agreement between the City of Las Vegas and THL limited liability company to purchase land in the Las Vegas Technology Center.
- 89. Discussion And Possible Action To Quitclaim Fee Simple Title Of City-Owned Property In The General Vicinity Of Stewart Avenue And Thirteenth Street To The Las Vegas Housing Authority.
- 90. **R-39-96** - A Resolution Declaring The City Of Las Vegas' Intent To Exchange Real Property Owned By The City Of Las Vegas, Located On Harris Avenue, East Of The New School Site Which Is East Of And Adjacent To Lunt Elementary School, For Real Property Owned By The Clark County School District, Located At Harris Avenue And "C" Street.
- 91. **R-40-96** - A Resolution Declaring The City Of Las Vegas' Intent To Lease Approximately Five Acres Of Real Property, Located On Harris Avenue, East Of The New School Site Which Is East Of And Adjacent To Lunt Elementary School To The Clark County School District.

VII. BOARDS & COMMISSIONS

- 92. **SOUTHERN NEVADA ENTERPRISE CONSORTIUM COMMITTEE** - Mayor Jones to replace Councilman McDonald
- 93. **CITIZENS ADVISORY COMMITTEE ON DOWNTOWN DEVELOPMENT** - Charles Chandler - Term Expires 2/21/98

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.

- 94. **Bill No. 96-63** -- Establishes a semiannual license fee for businesses washing, waxing, cleaning or detailing motor vehicles. Sponsored by: Councilman Arnie Adamsen
- 95. **Bill No. 96-64** -- Requires places of business providing a bowling center to pay a semiannual license fee for such bowling center. Sponsored by: Councilman Arnie Adamsen
- 96. **Bill No. 96-65** -- Removes business license fee exemption for persons with State contractor's license who are in the business of leasing or selling outdoor advertising space. Sponsored by: Mayor Jan Laverty Jones
- 97. **Bill No. 96-66** -- Amends Ordinance No. 3750 levying the assessments in Special Improvement District No. 505 (Elkhorn Springs area) to provide grace period before assessment of penalty for delinquent assessment payments. Sponsored by: Councilman Callister

98. Bill No. 96-67 -- Allows gaming and more bar seating at supper clubs. Sponsored by Councilman Matthew Q. Callister

2:00 P.M. - AFTERNOON SESSION

99. 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.

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. In addition, items may be required to conform to one or more of the following standard conditions:

ZONING APPLICATIONS: (1) Resolution of Intent with a twelve month time limit. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must first be approved by the Traffic Engineer. (8) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) All unused driveway cuts must be removed and replaced with "L" curb and new sidewalk meeting current City Standards as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

VARIANCE AND SPECIAL USE PERMIT APPLICATIONS: (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must first be approved by the Traffic Engineer. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services.

SUBDIVISION APPLICATIONS: Tentative Maps: (1) Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed. (2) Street names must be provided in accord with the City's Street Naming Regulations. (3) All development is subject to the conditions of City departments and State Subdivision Statutes. (4) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map. (5) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. **Final Maps:** (1) Final Maps shall be in conformance with the approved Tentative Map. **Vacation Applications:** (1) Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. (2) All development shall be in conformance with code requirements and design standards of all City departments. (3) The Reconveyance shall not be recorded until all of the above conditions have been satisfied. (4) If the Reconveyance is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

CONSENT AGENDA

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

EXTENSION OF TIME

100. **Z-30-95(1) - Petkin Trust** - Request for an Extension of Time for a proposed 12,320 square foot shopping center on property located on the north side of Bonanza Road between Page and Hubbard Streets - R-1 (Single Family Residence) Zone under Resolution of Intent to C-1 (Limited Commercial) - Ward 3 (Reese).

101. U-40-95(1) - Walter Homes, Ltd. - Request for an Extension of Time on an approved Special Use Permit which allowed a tavern in conjunction with a proposed restaurant on property located on the northwest corner of Rancho Drive and Decatur Boulevard, C-2 Zone, Ward 4 (Callister).

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

DISCUSSION/ACTION ITEMS

PLOT PLAN AND BUILDING ELEVATION REVIEW

102. Z-139-88(13) - Triple Five Development - Request for a Plot Plan and Building Elevation Review for a proposed 356 unit apartment complex on property located on the southeast corner of Grand Canyon Drive And Preakness Pass - C-1 (Limited Commercial) Zone - Ward 2 (Adamsen).

REVIEW OF CONDITION

103. V-12-96(1) - AT&T Wireless on behalf of Robert P. Bertges - Request for a Review of Condition on an approved Variance which restricted the height of a proposed cellular tower and transmission facility to 40 feet, on property located at 1405 South Arville Street, P-R Zone, Ward 1 (McDonald).

REQUIRED TWO YEAR REVIEW

104. V-43-92(2) - Mark Milford - Required two year review on an approved Variance which allowed outside repair work to be limited to the hours between 9:00 a.m. and 5:00 p.m. on property located at 1615 North Decatur Boulevard, C-1 Zone, Ward 4 (Callister).
105. V-49-92(2) - Joan Pennacchio - Required two year review on an approved Variance which allowed an existing outdoor automobile alignment rack where such equipment and service is required to be screened from view on property located at 2401 North Rancho Drive, C-2 Zone, Ward 4 (Callister).

REVIEW OF CONDITIONS - PUBLIC HEARING

106. ABEYANCE ITEM - Z-43-78(1) - V A Associates - Request for a Review of Condition to allow a partial demolition of the required block wall along Shadow Lane for the purpose of installing a driveway for vehicle access on property located at 1707 West Charleston Boulevard, C-1 (Limited Commercial and P-R (Professional Offices and Parking) Zones - Ward 1 (McDonald).

VACATION - PUBLIC HEARING

107. ABEYANCE ITEM - VAC-21-96 - Stratosphere Corporation - Petition to vacate the dedicated public alleys generally located in the block bounded by Chicago Avenue, Fairfield Avenue, Philadelphia Avenue and Commerce Street - Ward 1 (McDonald).
108. VAC-22-96 - Howard Hughes Properties, Limited Partnership - Petition to vacate the easterly ten feet of a 20 foot wide drainage easement generally located south of Lake Mead Boulevard, east of Anasazi Drive - Ward 2 (Adamsen).
109. VAC-23-96 - Edward D. and Maurine J. Smith - Petition to vacate U. S. Government Patent Reservations on property located on the northwest corner of O'Bannon Drive and Tioga Way - Ward 2 (Adamsen).

SPECIAL USE PERMIT - PUBLIC HEARING

110. U-34-96 - City of Las Vegas on behalf of Walters Group/Golf Club of Nevada - Request for a Special Use Permit for four 14 foot x 48 foot off-premise advertising (billboard) signs on property located on the north side of the I-515 Freeway between Mojave Road and Pecos Road, Ward 3, C-V Zone, Ward 3 (Reese). (Related to V-50-96)

VARIANCE RELATED TO U-34-96 - PUBLIC HEARING

111. V-50-96 - City of Las Vegas on behalf of Walters Group/Golf Club of Nevada - Request for a Variance to allow four proposed 14 foot x 48 foot off-premise advertising (billboard) signs 562 feet apart where 750 feet is the minimum distance separation required; and to allow the signs to be located 2 feet from the I-515 Freeway right-of-way where 10 feet is the minimum distance required on property located on the north side of the I-515 Freeway between Mojave Road and Pecos Road, C-V Zone, Ward 3 (Reese). (Related U-34-96)

VARIANCE - PUBLIC HEARING

112. V-43-96 - Rock Springs Vista Development Company - Request for a Variance to allow an existing non-conforming off-premise advertising (billboard) sign to be relocated from 280 feet to 130 feet from a residential district, where 300 feet is the minimum distance separation required, on property located at 911 North Buffalo Drive, C-1 Zone, Ward 2 (Adamsen).

BURGLAR ALARM LICENSE - New

20. BEST HOME THEATERS, INC., dba BEST HOME THEATERS, INC., 3230 Polaris #12, William A. Schaff, Pres, 100%, Wilbur A. Schaff, Lendor of Money

LOCKSMITH LICENSE -- New

21. BRUCE GWIN, dba VEGAS VALLEY LOCKING SYSTEMS, 2969 South Highland Drive, Bruce D. Gwin, 100%

MARTIAL ARTS LICENSE -- New

22. TOM GRIFFIN, dba A ACADEMY OF KENPO KARATE #4, 6382 West Lake Mead, Tom M. Griffin, 100%

SECONDHAND DEALER LICENSE -- New

23. CLASS II, JANIA B. SINGLETON, dba 100% POLYESTER THRIFT STORE, 810 South Main, Jania B. Singleton, 100%, Subject to the provisions of the fire codes

DEPARTMENT OF GENERAL SERVICES

AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS

24. Award of Bid Number 97.Jul.3, Annual Contract for Liquid Cationic Polymer - Department of Public Works - Award Recommended to: CYTEC INDUSTRIES (\$237,030.469)
25. Award of Bid Number 96.1739.02, West Vehicle Service Center - Department of General Services - Award Recommended to: MEEKS CONTRACTING, INC. (\$3,045,000)
26. Award of Bid Number 96.1730.22, Flood Control Facilities Annual Maintenance 1995-1996 - Department of Public Works - Award Recommended to: BID GROUP A - BOULDER CONSTRUCTION INC., (\$600,000), BID GROUP B - MAX RIGGS CONSTRUCTION CO., INC. (\$388,560)
27. Award of Bid Number 96.3341.01, CD-ROM Stand Alone Server System - Department of Finance and Business Services - Award Recommended to: MICROAGE (\$68,400)
28. Award of Bid Number 96.3462.08, Pick-up Trucks - Department of Neighborhood Services - Award Recommended to: WILLDEN PRIDE DODGE (\$54,663.40)
29. Award of Bid Number 96.3462.07, One (1) Para-Transit Van - Department of Parks and Leisure Activities - Award Recommended to: NEVADA TRUCK EQUIPMENT SALES, INC. (\$32,990)
30. Award of RFP 1010.0634, Document Scanning and Conversion Services - Department of Finance and Business Services - Award Recommended to: INNODATA/INTERNATIONAL IMAGING (\$157,990)
31. Renewal of Bid Number 95.Jul.15, Annual Contract for Security Guard Services - Various Departments - Award Recommended to: SPECIAL OPERATIONS ASSOCIATES, INC. (\$148,444)
32. Renewal of Bid Number 95.1040.02, Annual Maintenance Contract for A-Series Unisys System and Peripherals for the Information Systems Division - Department of Finance and Business Services - Award Recommended to: GRANADA COMPUTER SERVICES (\$240,000)
33. Renewal of Employee Assistance Program Agreement - Various Departments - Award Recommended to: BEHAVIORAL HEALTHCARE OPTIONS (\$29,000)
34. Preapproval of Award of Bid Number 96.1739.09, Detention Facility Housing Expansion to the Lowest Responsive and Responsible Bidder - Department of Detention and Enforcement
35. Approval of Interlocal Agreement with Clark County School District to provide transportation for Parks and Leisure Activities Department's Programs - Department of Parks and Leisure Activities (\$164,000)
36. Rejection of Bidder; Award of Bid Number 96.3462.06 New or Used Vehicles, Items 43, 44, and 45; and Approval to Award Items 1 through 42 to the Lowest Responsive and Responsible Bidder(s)

PURCHASE ORDER APPROVALS/SUPPLEMENTS

37. Purchase Order Approval for Proprietary Data Processing Services - Various Departments - Award Recommended to: CLARK COUNTY TREASURER (\$66,000)

38. Annual Purchase Order Approval for Laboratory Analysis - Department of Public Works - Award Recommended to: AQUATIC TESTING LABORATORIES, CH2M HILL LABORATORY, NEVADA ENVIRONMENTAL LABORATORY, LOCKHEED ENVIRONMENTAL SYSTEM, BC ANALYTICAL LABORATORIES, ALPHA ANALYTICAL, CH2M HILL QUALITY ANALYTICAL LABS, MONTGOMERY LABORATORIES (\$130,000)
39. Annual Purchase Order Approval for Abel Pump Parts - Department of Public Works - Award Recommended to: ABEL PUMP CORPORATION (\$85,000)
40. Annual Purchase Order Approval for Waukesha Engine Parts - Department of Public Works - Award Recommended to: STEWART AND STEVENSON POWER, INC. (\$50,000)

APPROVAL OF SETTLEMENT AGREEMENT

41. Discussion and possible action to approve a settlement agreement regarding Bus Stop Shelters of Nevada

DEPARTMENT OF HUMAN RESOURCES

42. Approval To Upgrade A Municipal Court Office Supervisor To An Operations Programs Coordinator Position, Municipal Court.
43. Approval Of The City's Property Damage Fire Insurance Policy On Buildings, Contents, Outside Equipment, Boiler & Machinery For Fy 1997.
44. **REPORT OF NEW HIRES - MAY 1 15, 1996** - Inventory Control Clerk (Temporary), General Services; Court Clerk I (X) (2), Municipal Court; Evaluation Center Coordinator, Municipal Court; Junior Activities Assistant (6), Parks & Leisure Activities; Lifeguard/WSI (2), Parks & Leisure Activities; Utility Worker I, Parks & Leisure Activities; Junior Activities Assistant (2), Parks & Leisure Activities; Theatre Technician (R), Parks & Leisure Activities.

NEIGHBORHOOD SERVICES

45. Action to approve early payment of the July 1 payment of general fund operational expenditures to St. Vincent de Paul of San Diego for the Stupak Mash Village
46. Action to approve the agreements for Economic Opportunity Board of Clark County (EOB) and Women's Development Center (WDC) to administer the City of Las Vegas Welcome Home Homebuyer Assistance Program
47. Action to approve the annual reduction of the deferred U.S. Department of Housing and Urban Development (HUD) Rental Rehab loan for the fiscal years 1993, 1994 and 1995 for the Cadillac Arms Units at 201/203 and 213/215 George Place, 117/119, 121,123, 125/127, 201/203, 209/211, 213/215 and 217/219 Paul Avenue in the amount of \$21,684.06

DEPARTMENT OF PARKS & LEISURE ACTIVITIES

48. Request approval of Agreement for the Las Vegas Soaring Club to use the North Gowan Detention Basin.
49. Approval to extend (retroactive through May 31, 1996) the tennis concession contract at Lorenzi Park Tennis Complex with Jerry Springer on a month to month basis; a minimum of 60 days and not to exceed six months.
50. Authorize the Department of Parks and Leisure Activities to conduct an RFQ/RFP (Request for Qualifications/Request for Proposal) process for the purposes of providing tennis programming and related services from independent contractors for the Lorenzi Tennis Complex.

PLANNING AND DEVELOPMENT DEPARTMENT

51. Approval of Lease Renewal (N-37313), Bureau of Land Management (BLM) (Park Site - Ann Road, west of El Capitan Way)
52. Approval of Lease Renewal (N37128), Bureau of Land Management (BLM) (Park Site - Vegas Drive, east of Buffalo)
53. Approval of Lease Renewal (N-37129) , Bureau of Land Management (BLM) (Park Site - Smoke Ranch, east of Buffalo)

DEPARTMENT OF PUBLIC WORKS

ACCEPTANCE OF RIGHT OF WAY ITEMS

GRANT DEEDS

54. From: BECKER AND SONS, A NEVADA PARTNERSHIP, To: City of Las Vegas, For: Portion of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of Section 23, T20S, R60E, M.D.M., for dedication of right of way on Eugene Avenue (30'), located west of Jones Boulevard (5-7-96) 138-23-601-008
55. From: ARLEE ANDERSON AND WILLIAM DAWSON II, AS JOINT TENANTS, To: City of Las Vegas, For: Portion of the Northwest Quarter (NW 1/4) of Section 27, T20S, R61E, M.D.M., for dedication of a 15' radius located on the northwest corner of "B" Street and Van Buren Avenue (previously recorded in the Office of the Recorder, Clark County, Nevada in Book 960520 as Instrument Number 00740) (5-2096)139-27-111-025

RIGHT OF WAY GRANTS FOR DRAINAGE PURPOSES

56. From: PACIFIC HILLS JOINT VENTURE, A NEVADA GENERAL PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 28, T20S, R60E, M.D.M., being a portion of Pacific Hills Condominium subdivision for a drainage easement located inside the entrance of the Pacific Hills Condominium subdivision on the west side of Buffalo Drive (5-3-96) 138-28-501-006
57. From: PACIFIC PROPERTIES AND DEVELOPMENT CORPORATION, To: City of Las Vegas, For: Portion of the Southwest Quarter (SW 1/4) of Section 22, T20S, R60E, M.D.M., being a portion of Parcel of Parcel Map File 68, Page 60 for a drainage easement located at the southeast corner of Buffalo Drive and Sea Spray Avenue (5-3-96) 138-22-401-001

RIGHT OF WAY GRANT FOR SEWER PURPOSES

58. From: MARILYN JUNE ROBINSON, AN INDIVIDUAL AS TO AN UNDIVIDED 1/2 INTEREST, AND MARY K. ROBINSON, TRUSTEE U/A/D/ 12-10-73, AS TO AN UNDIVIDED 1/2 INTEREST, To: City of Las Vegas For: Portions of the Southeast Quarter (SE 1/4) of Section 2, T20S, R60E, M.D.M., for a 20' sewer easement along Jones Boulevard, south of Craig Road for the Monte Cristo/Cheyenne Sewer Interceptor (5-3-96) 138-02-702-002

RIGHT OF WAY GRANT FOR INGRESS AND EGRESS PURPOSES

59. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Southeast Quarter (SE 1/4) of Section 24, T20S, R59E, M.D.M., being a portion of Common Lots "G," "H" and "L" of The Crossing at Summerlin Village 8 Unit 1, Phase 3 to provide ingress and egress easements into Pacific Crest subdivision (Crestdale Lane/Camborne Avenue & Covington Cross Drive/Lancashire Street) (5-20-96)137-24-897-006 & 007

RIGHT OF WAY GRANT FOR TRAFFIC PURPOSES

60. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP, To: City of Las Vegas, For: Portion of the Northeast Quarter (NE 1/4) of Section 19 and that portion of the Southeast Quarter (SE 1/4) of Section 20, T20S, R60E, M.D.M., being that portion of Common Lot "A" of Summerlin Village 1 South - Unit 2 and that portion of Common Lot "A" of Summerlin Village 1 South - Unit 1 for traffic easements located at the southeast corner of Hillpointe Road and Hills Center Drive and the southwest corner of Hillpointe Road and Rampart Boulevard (5-9-96) 138-19-697-012 & 138-20-797-015
61. From: SUMMERLIN COMMUNITY ASSOCIATION, A NEVADA NON-PROFIT CORPORATION, To: City of Las Vegas, For: Portions of the Northeast Quarter (NE 1/4) of Section 19 and that portion of the Southeast Quarter (SE 1/4) of Section 20, T20S, R60E, M.D.M., being a portion of Common Lots "C," "D" and "F" of the Amended Plat of Summerlin Village 1 North and that portion of Common Lot "E" of Summerlin Village 7 - The Trails - Unit 1 for a traffic easement located at the northwest, northeast and southwest corners of Hillpointe Road & Hills Center Drive; and the northwest corner of Hillpointe Road & Rampart Boulevard (5-8-96) 138-19-697-006, 007, 016 & 138-20-797-003

GRANTS OF EASEMENT

62. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION, To: Nevada Power Company, For: Portions of the Northwest Quarter (NW 1/4) of Section 15, T20S, R60E, M.D.M., for a power line easement located near the southwest corner of Cheyenne Avenue and Tenaya Way to service the monument sign 138-15-101-001
63. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION, To: Nevada Power Company, For: Portions of the Resubdivision of a Portion of the Las Vegas Technology Center, lying in the South Half (S1/2) of Section 15, T20S, R60E, M.D.M., for a power line easement on the east and west sides of Prairie Falcon Road to provide service to the Open Space East and West areas. 138-15-310-006, 710-001
64. Request Permission To File A Right Of Way Application With The Bureau Of Land Management For Sewer Purposes For The North 20' Of Deer Springs Way Alignment, West Of Buffalo Drive Lying Within the Northeast Quarter (NE 1/4) of Section 21, T19S, R60E, M.D.M.

ENCROACHMENT REQUEST

- 65. OXFORD CONSTRUCTION CORPORATION ON BEHALF OF DONALD J. AND ELIZABETH G. DAVENPORT, 4800 Alpine Place, Applicant seeks authorization for an existing encroachment to remain in the public right of way on Appian Way north of Alpine Place consisting of all existing street improvements in Appian Way north of Alpine Place.
- 66. LARRY S. AND TANYA A. MCMILLAN, 400 Falcon Lane, Proposal from applicant to encroach into the public right of way at 400 Falcon Lane which is generally located north of Alta Drive between Upland Boulevard and Decatur Boulevard consisting of landscaping (grass) and a sprinkler system in the five foot (5') strip of excess right of way between the back of sidewalk and the property line.
- 67. MELVIN GREEN ARCHITECT LTD. ON BEHALF OF EXBER, INC., OWNER, 520 Fremont Street Proposal from applicant to encroach into the public right of way on Sixth Street and on Fremont Street adjacent to 520 Fremont Street (Fremont Medical Center) consisting of landscaping, sprinkler system, columns, and a facade overhang.
- 68. ERNEST M. FOUNTAIN, 626 South Ninth Street, Proposal from applicant to encroach into the public right of way on Ninth Street between Garces Avenue and Gass Avenue consisting of landscaping (grass) and a sprinkler system in the 10' wide strip between the back of sidewalk and the property line.

REVIEW AND POSSIBLE ACTION REGARDING AN ENCROACHMENT

- 69. PALACE STATION HOTEL AND CASINO, Applicant proposes that the City of Las Vegas accept ownership and maintenance responsibility for gates and related appurtenances installed by the applicant in the public right of way on Merit Street and on Alcoa Street west of Teddy Drive consisting of wrought iron fences, gates, opening mechanisms, and underground electrical wires at each of the two locations.

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

- 70. GEORGE T. AND LEILANI S. CHEN, (6120 W. Cheyenne Avenue), Request to connect a single family residence to the City sewer from property located in Clark County in the northwest corner of Cheyenne Avenue and Bronco Street.
- 71. TIMOTHY JORDAN, (8585 W. Craig Rd), Request to connect a single family residence to the City sewer from property located in Clark County on the southeast corner of Craig Road and Riley Street.

TRAFFIC & PARKING ITEMS

- 72. Discussion And Possible Approval Of A Request To Remove Parking On Both Sides Of Lake Mead Boulevard Between Jones Boulevard And I-15, And Make Madeline Drive One-Way Southbound From Lake Mead Boulevard To Edward Avenue

REPORTS/ACTION ITEMS

- 73. REQUEST TO CUT PAVEMENT- GEORGE T AND LEILANI S. CHEN, Cheyenne Avenue at Bronco Street.

IV. RESOLUTIONS

- 74. R-31-96, R-32-96 R-33-96 - Adopt Resolutions To Augment The General, Detention And Enforcement Capital Projects And Debt Service Funds In The Fy 1995-96 Budget Of The City Of Las Vegas
- 75. R-34-96 - Approval of Resolution to amend Schedules 17-III, 26-I in accord with Traffic & Parking Item 72.
- 76. R-35-96 - A Resolution Adopting Language For The November 5, 1996, Ballot Question For An Additional Ad Valorem Tax Rate Increase For The Purpose Of Hiring Additional Las Vegas Metropolitan Police Department Manpower.

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

DISCUSSION / ACTION ITEMS

CITY ATTORNEY

- 77. Renewal of Parking Hearing Officer Services Agreements with Paula C. Gentile, Esq. And Roger L. Harris, Esq.
- 78. Discussion and possible action to approve settlement in Santos v. City of Las Vegas, et al.

STATE OF NEVADA

)

) SS.

CITY OF LAS VEGAS

)

I, Kathleen M. Tighe, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages -1- through -40-, excerpts from the minutes of a regular meeting of the Council of City Council of City of Las Vegas (the "Council") held on June 5, 1996, and June 19, 1996, constitute a true, correct, complete and compared copy of the proceedings of the Council so far as such minutes relate to an ordinance concerning Special Improvement District No. 707 (Summerlin Area), a copy of which is set forth in such minutes.

2. The copy of the ordinance is a true, correct, complete and compared copy of the original introduced at such meeting.

3. The foregoing Ordinance was first proposed and read by title to the City Council on the 5th day of June, 1996, and referred to a committee composed of Councilman Adamsen and Mayor Jones for recommendation; thereafter the said committee reported favorably on said Ordinance on the 19th day of June, 1996, 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 June 19, 1996 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye: Arnie Adamsen

Matthew Q. Callister

Gary Reese

Those Voting Nay: NONE

Those Absent: Jan Laverty Jones

Michael J. McDonald

4. All members of the Council were given due and proper notice of the meetings. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting:

5. By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:


- (a) City Hall
Las Vegas, Nevada
- (b) Senior Citizens Center
Las Vegas, Nevada
- (c) Clark County Government Center
Las Vegas, Nevada
- (d) Downtown Transportation Center
Las Vegas, Nevada

and

6. By mailing a copy of the notice 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.

7. A copy of such notice of such meetings as posted and mailed is attached hereto as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this JUNE 19, 1996.


City Clerk

(SEAL)

EXHIBIT A

(Notice of June 5, 1996
City Council Meeting)

AGENDA

City of Las Vegas

CITY COUNCIL

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

JAN LAVERTY JONES, MAYOR • COUNCILMEN: ARNIE ADAMSEN, MATT CALLISTER, MICHAEL J. McDONALD, GARY REE

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.

JUNE 5, 1996

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 2:00 p.m.

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED BY THE U.N.L.V. GREENSPUN SCHOOL OF COMMUNICATION AND WILL BE REBROADCAST THE DAY FOLLOWING EACH MEETING ON PRIME CABLE, CHANNEL 4, AT 7:00 P.M.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$15.00 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 Chester Richardson, Second Baptist Church
- PLEDGE OF ALLEGIANCE
- INTRODUCTION OF CORPORATE CHALLENGE MEDAL WINNERS, CAPTAINS AND STEERING COMMITTEE.
- PROCLAMATION PROCLAIMING JUNE 15, 1996, AS BREAST CANCER AWARENESS DAY.

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 5/1/96.

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.

DEPARTMENT OF FINANCE & BUSINESS SERVICES

3. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Discussion And Possible Action Regarding Transfer Of Budget Appropriations

CHILD CARE FACILITY APPLICATIONS (Approved by the Child Care Licensing Board on May 16, 1996)

Family Homes

5. MICHAEL GAWRELUK III, 2228 La Sombra Street, 6 children days
6. MARY LAFLIN, 6556 Castor Tree Way, 3 children days/2 nights
7. MADELEINE MONTANO, 6601 Tampa Court, 5 children days/2 nights/1 before & after school
8. VIRGINIA OLDHAM, 3124 Jansen Avenue, 5 children days

Centers

9. CHILDREN'S WORLD LEARNING CENTER, INC., dba CHILDREN'S WORLD LEARNING CENTER, 2861 Business Park Court, 159 children days, Center/Preschool/Nursery, Richard W. Turpenoff, V.P. of Operations, John E. Rosen, V.P. of Real Estate, Beverly A. O'Connell, District Manager, Christine Barragan, Center/Preschool Nursery Director

SPECIAL EVENT LIQUOR LICENSES

10. HALAU O MOANI KE'ALA, Location: Sammy Davis Jr. Amphitheater, Lorenzi Park, Date: June 14, 1996, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Tammy Silve
11. LAS VEGAS HAWAIIAN CIVIC CLUB, Location: Sammy Davis Jr. Amphitheater, Lorenzi Park, Date: June 15, 1996, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Ruth Auwae

LIQUOR -- New

12. BEER/WINE/COOLER ON-SALE LICENSE, DEE LEE, INC., dba MARIE CALLENDERS RESTAURANT & BAKERY, 3081 North Rainbow, Bridget E. Williams, Dir, Pres, Secy, 50%, Jeffrey D. Williams, Dir, Treas, 50%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Change of Ownership

13. TAVERN LICENSE, From: Mt. Charleston Distributors, Inc., TO: JJ & AM INCORPORATED, dba TOD'S TAVERN, 7 East Bonanza, Juda Joselvitch, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Change of Ownership/Change of Business Name

14. TAVERN LICENSE, From: KSS, Inc., dba Cousins Cafe, TO: S.C.R. CAFES, INC., dba ROCKY COLA CAFE, 1617 South Decatur, Rickey Lee Snyder, Dir, Pres, 33 1/3%, Sheldon Rocker, Dir, Secy, 33 1/3%, Wallace Lee Curry, Dir, CFO, 33 1/3%, Subject to the provisions of the fire codes and Health Department regulations

LIQUOR -- Approval of Officer/Director

15. TAVERN LICENSE, SAM-WILL, INC., dba FREMONT HOTEL & CASINO, 200 Fremont Street, John V. Buchanan, V.P., General Manager

LIQUOR -- Approval of Franchise Managers

16. BEER/WINE/COOLER OFF-SALE LICENSE, SOUTHLAND CORPORATION, dba 7-ELEVEN FOOD STORE #26627, 3501 East Bonanza, Richard J. Davies, Franchise Manager and Linda C. Davies, Franchise Manager, 100% jointly as husband & wife
17. BEER/WINE/COOLER OFF-SALE LICENSE, SOUTHLAND CORPORATION, dba 7-ELEVEN FOOD STORE #20687, 1600 North Rancho, Thomas L. Davis, Franchise Manager, 100%

GAMING -- New

18. RESTRICTED GAMING: 2 slots, TIMOTHY INGSTAD, dba NEW YORK CITY PIZZA, 1553 North Eastern, Timothy L. Ingstad, 100%, Approved by the Nevada Gaming Commission on May 23, 1996

AUCTIONEER LICENSE -- Change of Ownership/Change of Location

19. From: Brian Myers Auction Group, 3016 South Valley View Blvd., TO: BRIAN MYERS AUCTION GROUP, INC., dba BRIAN MYERS AUCTION GROUP, 5670 W. Flamingo, #C, Brian Myers, Pres, 100%

City will permit an inspection and examination of all records and accounts at all reasonable times by a representative of the Purchaser.

Section 18. Promptly upon a default in the due and punctual payment of any Assessment Installment due hereunder and under the Assessment Ordinance, the City Treasurer shall mark the Assessment Installment delinquent on the assessment roll for the District and shall notify the delinquent person of such delinquency in writing. Unless such Assessment Installment plus accrued interest and penalties thereon have been paid in full, within sixty days thereafter the Council shall direct the Treasurer of the City to give notice of the sale of the property subject to the lien of the delinquent Assessment Installment, or all of the Assessment with respect to such property if the Council has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), and shall sell such property as provided in and pursuant to the Act. In the event that the owner of such property does not prior to the day of sale pay the amount of all delinquent Assessment Installments, with accrued interest thereon and penalties and costs of collection (as further provided in the Assessment Ordinance) and such property is not sold to a third party purchaser at such sale, the property may be stricken off to the City and held in trust for the benefit of the District pursuant to the Act. Alternatively, the City may proceed with the collection or enforcement of any delinquent Assessment Installment, or the whole amount of the unpaid Assessment with respect to such property if the City has exercised its option to cause the whole amount of the unpaid Assessment with respect to such property to become due and payable (subject to the provisions of Section 19 hereof), by a foreclosure action brought in the district court located in and for the City. All proceedings supplemental to the judgment in any such foreclosure action, including appeal, period of redemption, sale and the issuance of a deed, shall be conducted in accordance with the law relating to property sold upon foreclosure of mortgages or liens upon real property, except that there shall be no personal liability upon the defendants for any deficiency in the proceeds of such sale.

Upon the sale of or foreclosure upon the real property which is the subject of such delinquent Assessment Installment, or upon the owner of such property paying prior to the date of sale the amount of all delinquent Assessment Installments, or after the date of sale all delinquent Assessment

Installments or all of the Assessment if the Council has exercised its option referred to above, accrued interest thereon, penalties and costs of collection, the City shall deposit such moneys received in the Bond Fund or as otherwise required by the Financing Agreement.

Section 19. Upon a default in the due and punctual payment of an Assessment Installment and if sale or foreclosure proceedings are not promptly filed and diligently prosecuted by the City, then any registered owner may:

A. file and prosecute a foreclosure action in the name of the City; and

B. proceed against the City to protect and enforce the rights of the registered owners under the Act or hereunder by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provisions contained in the Act or herein or in an award of execution of any power granted for the enforcement of any proper legal or equitable remedy as such registered owner may deem most effectual to protect and enforce the rights aforesaid.

All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all registered owners of the Bonds then outstanding. The failure of the registered owners so to foreclose upon the property which is the subject of such delinquent Assessment Installment, or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of its duty so to take the actions set forth in Section 18.

Section 20. The City covenants for the benefit of the registered owners of the Bonds to comply with the provisions of the Continuing Disclosure Certificate in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith which the Mayor is authorized and directed to execute. The City shall enter into the Continuing Disclosure Agreement with the Developer in substantially the form presented to the Council at this meeting with only such changes therein, if any, as are not inconsistent herewith. The Mayor is hereby authorized and directed to execute the Disclosure Agreement and the City Clerk is hereby authorized and directed to affix the seal of the City to and to attest the Disclosure Agreement.

Section 21. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

A. The printing of the Bonds, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar; and

B. The printing and distribution of the final official statement for the Bonds in substantially the form of the Preliminary Official Statement heretofore approved by the Council, but with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith; and

C. The execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bonds, the tenure and identity of the officials of the Council and the City, the delivery of the Bonds, the receipt of the purchase price for the Bonds, the exemption of interest on the Bonds from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of the Act, as hereafter amended and supplemented from time to time.

Section 22. The City covenants for the benefit of the registered 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 Section 103 of the Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the 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 Code have been met.

Section 23. The City covenants for the benefit of the registered owners of the Bonds that it will use its best efforts to apportion the Assessments in accordance with the Report heretofore filed with the City unless the Council determines that another method of apportionment is appropriate. The Council's determination that the apportionment is in accordance with the Report or is otherwise appropriate shall be conclusive and binding upon the owners of the property and the owners of the Bonds. The Council's approval of an apportionment report shall be deemed conclusively to constitute a finding that the apportionment is in accordance with the Report or is otherwise appropriate.

Section 24. The Council hereby finds and determines that the condition to the City's obligations under the Financing Agreement set forth in Section 3.18 thereof (i.e., receipt and review of an appraisal indicating a value of at least \$126,500,000) has been satisfied.

Section 25.

A. This Ordinance may be amended or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of not less than sixty-six per cent (66%) of the Bonds outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

(1) An extension of the maturity of any Bond authorized by this Ordinance; or

(2) A reduction in the principal amount of any Bond or the rate of interest thereon; or

(3) The creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or

(4) A reduction of the principal amount of Bonds required for consent to such amendatory or supplemental ordinance.

B. The City may, without the consent of or notice to the owners, adopt one or more ordinances supplemental hereto, which supplemental ordinances shall thereafter form a part hereof, for any one or more of the following purposes:

(1) To cure any ambiguity, or to cure, correct or supplement any formal defect or omission or inconsistent provision contained in this ordinance, to make any provision necessary or desirable due to a change in law, to make any provisions with respect to matters arising under this ordinance, or to make any provisions for any other purposes if, in each case, such provisions are necessary or desirable and do not adversely affect the interests of the owners of the Bonds.

(2) To pledge additional revenues, properties or collateral as security for the Bonds.

(3) To grant or confer upon the Registrar or Paying Agent for the benefit of the owners of the Bonds any additional rights, remedies, power or authorities that may lawfully be granted to or conferred upon the owners.

Section 26. 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 registered owner 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 or person serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution or person serve as both Registrar and Paying Agent hereunder.

Section 27. An amount of City monies equal to \$57,015.85, which the council determines to be the amount required by NRS 354.6105, shall be deposited in the Extraordinary Maintenance, Repair and Improvement Account, which is a special account of the City fund created pursuant to NRS 354.6105. The Extraordinary Maintenance, Repair and Improvement Account shall be a special account held by the City Treasurer, but shall not constitute part of the Trust Estate. All money in the Extraordinary Maintenance, Repair and Improvement Account shall be applied by the City for the purposes permitted by NRS 354.6105. The amount of any income realized from the investment of the money in the Extraordinary Maintenance, Repair and Improvement Account shall be retained in the Extraordinary Maintenance, Repair and Improvement Account or, at the option of the City and to the extent permitted by law, transferred

to the Rebate Fund. If the maintenance of the Extraordinary Maintenance, Repair and Improvement Account is no longer required by NRS 354.6105 or any successor law, the balance shall be transferred to the Rebate Fund or the Bond Fund as determined by the City or as otherwise required by law.

Section 28. The Administration Fund shall be a special fund held by the City Treasurer, but shall not constitute part of the Trust Estate. All money in the Administration Fund shall be to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project. The amount of any income realized from the investment of the money in the Administration Fund shall be retained in the Administration Fund or, at the option of the City and to the extent permitted by law, transferred to the Rebate Fund.

Section 29. Section 2 of the Assessment Ordinance is hereby amended to read as follows:

Section 2. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District, as filed in the office of the City Clerk on May 15, 1996, *and as supplemented on May 21 and 24, 1996*, the amounts and assessments shown in the assessment roll (as so filed and confirmed). The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as heretofore determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 30. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 31. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution.

Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

BILL NO. _____
ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and 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 the 5th day of June, 1996, and will be considered for adoption at a regular meeting of the City Council of the City of Las Vegas held on the 19th day of June, 1996.

/s/Kathleen Tighe
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 32. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF ADOPTION OF ORDINANCE)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on the 5th day of June, 1996, and was passed at the meeting held on the 19th day of June, 1996, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the ____ day of June, 1996, 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 19th day of June, 1996.

/s/ Jan Lavery Jones

Mayor

Attest:

/s/ Kathleen Tighe

City Clerk

(End of Form of Publication)

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 19th day of June, 1996.

/s/ Jan Lavery Jones
Mayor

Attest:

/s/ Kathleen Tighe
City Clerk

(End of Form of Publication)

Section 33. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

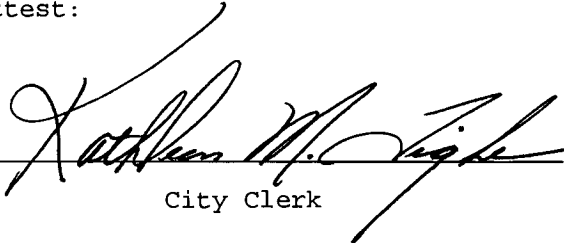
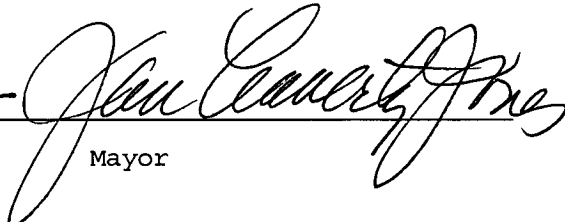
Proposed on the 5th day of June, 1996.

Proposed by Council member Arnie Adamsen

Vote:


Those Voting Aye:	Arnie Adamsen
	Matthew Q. Callister
	Gary Reese
Those Voting Nay:	NONE
Those Absent:	Jan Laverty Jones
	Michael J. McDonald

Attest:

	
_____ City Clerk	_____ Mayor

This Ordinance shall be in force and effect from and after the 22 day of June, 1996, i.e., the date after the publication of such Ordinance by its title only.

Approved as to form:

	<u>6/22/96</u>
	Date

Summary - An ordinance authorizing local improvement bonds for the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) in the aggregate principal amount of \$40,000,000, and providing other matters related thereto.

BILL NO. 96-57

ORDINANCE 3996

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA); AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS, SERIES JULY 1, 1996 FOR THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT, STORM SEWER PROJECT, AND WATER PROJECT; RATIFYING THE SALE OF SUCH BONDS TO THE PURCHASER THEREOF; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; APPROVING THE FORM OF A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE BONDS; PRESCRIBING THE FORM OF SAID BONDS, PROVIDING THE SOURCE OF PAYMENT AND OTHER DETAILS IN CONNECTION THEREWITH AND OTHER MATTERS RELATING THERETO; AMENDING ORDINANCE NO. 3993 AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Las Vegas, Nevada (the "City") is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the City Council of the City (the "Council") has heretofore, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) (the "District") for the purpose of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the Council has heretofore provided for the payment of the cost and expense of the Project by assessing the cost of the Project against the assessable lots, tracts and parcels of land benefited by the Project; and

WHEREAS, the Council desires to issue its City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996 in the aggregate principal amount of \$40,000,000 (the "Bonds") to provide funds to pay the cost and expense of the Project; and

WHEREAS, the Bonds are to be payable from the sources permitted by the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes, and all laws amendatory thereof and supplemental thereto (the "Act"), as more fully described herein; and

WHEREAS, the Bonds are to be sold by the City to Stone & Youngberg LLC and Merrill Lynch & Co. (collectively the "Purchaser") on the terms set forth in the Bond Purchase Contract in substantially the form filed with the City Clerk prior to the date of adoption of this Ordinance (the "Bond Purchase Contract"); and

WHEREAS, the effective interest rate on the Bonds shall not exceed by more than three percent (3%) the "Index of Twenty Bonds" which was most recently published in The Bond Buyer; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the Bonds.

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

Section 1. In addition to the terms elsewhere defined in this Special Improvement District No. 707 (Summerlin Area) Bond Ordinance (the "Ordinance"), the following terms shall have the respective meanings set forth below:

"Administration Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Administration Fund" established in Section 11 hereof.

"Assessment" or "Assessments" means the aggregate special assessment or individual portions thereof, as the case may be, levied by the City constituting a first lien and charge upon benefited lots, tracts and parcels of land within the District, co-equal with the latest lien thereon to secure the payment of general (ad valorem) taxes.

"Assessment Installments" means the installments of principal and interest of the Assessments to be paid by the owners of the benefited lots, tracts and parcels of land within the District.

"Assessment Ordinance" means the assessment ordinance finally adopted by the Council on May 15, 1996 and any ordinance amending such ordinance.

"Bond Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund" established in Section 11 hereof.

"Bond Reserve Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund" established in Section 11 hereof.

"Certificate of City Finance Director" means a certificate of the City Finance Director dated on or before the date of delivery of the Bonds setting forth the rate of interest on the Bonds, the dates on which and prices at which Bonds may be called for redemption, the price at which the Bonds will be sold, and the amount of principal maturing on each date.

"Code" means the Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder, including any regulations promulgated under the Internal Revenue Code of 1954, as amended, applicable to the Bonds.

"Construction Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Construction Fund" established in Section 11 hereof.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement between the City and the Developer, in substantially the form now before the Council, and any amendments and supplements thereto.

"Continuing Disclosure Certificate" means the Continuing Disclosure Certificate executed by the Mayor and dated as of the date of delivery of the Bonds, in substantially the form now before the Council, and any amendments and supplements thereto.

"Developer" means Howard Hughes Properties, Limited Partnership, a Delaware limited partnership.

"Extraordinary Maintenance, Repair or Improvement Account" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Extraordinary Maintenance, Repair or Improvement Account" established in Section 11 hereof pursuant to NRS 354.6105.

"Financing Agreement" means the Development and Financing Agreement dated as of May 15, 1996 between the City and the Developer, and any amendments and supplements thereto.

"Minimum reserve requirement" means an amount equal to the Percentage of the combined maximum principal and interest coming due on the Assessments in any one year.

"Paying Agent" means the Treasurer of the City, being the agent for the City for the payment of the Bonds and interest thereon, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Percentage" means the lesser of (a) 100%, or (b) the percentage which when multiplied times the combined maximum principal and interest coming due on the Assessments in any one year at the time of issuance of the Bonds equals the maximum amount of Bond proceeds which may be deposited to the Reserve Fund pursuant to Section 148 of the Code and the regulations and rulings promulgated thereunder. The Percentage shall be determined as of the date of issuance of the Bonds and shall not be recalculated thereafter.

"Rebate Fund" means the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund" created in Section 11 hereof.

"Record Date" means the fifteenth day of the calendar month preceding the calendar month in which each regularly scheduled interest payment date for the Bonds occurs.

"Registrar" means the Treasurer of the City, being the agent for the City for the registration, transfer and exchange of the Bonds, or his or her successors and assigns appointed in accordance with the provisions hereof.

"Report" means the Engineers Report For Special Improvement District No. 707 (Summerlin Area) dated May 15, 1996, and any addendum thereto filed with the City Clerk prior to the date of adoption of this ordinance.

"Special Record Date" means a special date fixed by the Paying Agent to determine the names and addresses of registered owners of Bonds for the purpose of paying interest on a special interest payment date for the payment of defaulted interest, all as further provided in Section 3 hereof.

"Trust Estate" means (i) all Assessments, (ii) all moneys and securities from time to time held by the City in the Bond Reserve Fund and the Bond Fund, and (iii) any and all other real or personal property of every name

and nature hereafter by delivery or in writing specially pledged as additional security for the Bonds.

Section 2 All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of Assessments for those purposes, the validation and confirmation of the assessment roll and the Assessments therein and the sale of the Bonds to the Purchaser, are ratified, approved and confirmed, including, without limitation, the execution and delivery of the Bond Purchase Contract and the distribution of the Preliminary Official Statement for the Bonds.

Section 3. For the purpose of defraying the entire cost and expense to the City of the Project, there shall be issued the City's special assessment bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996" in the aggregate principal amount of \$40,000,000, which Bonds shall be dated as of July 1, 1996 and shall be in the form of fully registered Bonds in the denominations of \$5,000 and any integral multiple thereof. The Bonds shall bear interest, at the rates per annum designated in the Certificate of the City Finance Director from the most recent interest payment date for which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds, to maturity at the rates per annum herein designated, payable semiannually on June 1 and December 1 of each year, commencing on December 1, 1996. The bonds shall mature on June 1 (and December 1 if so designated in the Certificate of the City Finance Director) in each of the designated years and amounts as designated in the Certificate of the City Finance Director. The principal of each Bond shall be payable at the principal office of the Paying Agent upon presentation and surrender of the Bond. Except as provided in Section 8 hereof, payment of interest on any Bond shall be made to the person who is the registered owner thereof at the close of business on the Record Date for such interest payment date by check mailed by the Paying Agent to such registered owner at his or her address as it appears on the registration records kept by the Registrar, but any such interest not so timely paid shall cease to be payable to the person who is the registered owner thereof at the close of business on the Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a

Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than ten days prior thereto by first-class postage prepaid mail to each such registered owner as shown on the registration records, 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 in writing between the registered owner of such Bond and the Paying Agent. If any Bond is not paid upon its presentation and surrender at or after its maturity or prior redemption, interest shall continue at its stated rate per annum until the principal thereof is paid in full. Interest on the Bonds shall be calculated based on a 360-day year, consisting of twelve 30-day months. All such payments shall be made in lawful money of the United States of America.

Section 4. The Bonds will be subject to redemption at the option of the City from any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium of not more than 3% as set forth in the Certificate of the City Finance Director. If less than all of the Bonds are to be redeemed, the Bonds to be redeemed shall be selected proportionately from each outstanding maturity of the Bonds unless the City Treasurer determines that the Assessment Installments will be sufficient to pay the principal and interest of the Bonds, which would remain outstanding using a different method of selecting Bonds to be redeemed, on each interest payment date subsequent to the redemption date. The redemption premium, if any, shall be paid from a prepayment penalty for the Assessments provided for in the Assessment Ordinance, provided, however, that nothing herein shall prevent the payment of any such redemption premium from any other funds available for that purpose. Any Assessment which is voluntarily prepaid shall be used to redeem Bonds on the next interest payment date on the Bonds which is at least 60 days after receipt of such prepayment; provided that the amount of any such prepaid Assessment which is less than \$5,000 and can not be

used by such interest payment date to redeem Bonds may be used to pay principal of or interest on the Bonds due on such interest payment date; and provided further that all or any portion of such prepaid Assessment may be used to pay principal of or interest on the Bonds if necessary to avoid or cure a default in payment of principal of or interest on the Bonds. The Paying Agent shall not be required to give notice of any such prior redemption unless it has received written instructions from the City in regard thereto at least 60 days prior to such redemption date.

The Bonds shall be subject to mandatory sinking fund redemption to the extent provided in the Certificate of the City Finance Director. Not more than sixty days nor less than forty-five days prior to each such sinking fund redemption date, the Registrar shall proceed to call the Bonds so designated for mandatory prior redemption from such sinking fund on the next sinking fund redemption date, and shall give notice of such call without further instruction or notice from the City.

At its option, to be exercised on or before the sixtieth day next preceding each sinking fund redemption date, the City may (i) deliver to the Registrar for cancellation, Bonds of the appropriate maturity in an aggregate principal amount desired by the City or (ii) specify a principal amount of Bonds of the appropriate maturity which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and cancelled by the Registrar or the Paying Agent and not theretofore applied as a credit against any sinking fund redemption obligation. Each such Bond or portion thereof so delivered or previously redeemed will be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on such sinking fund redemption date and any excess over such amount shall be credited against future sinking fund redemption obligations for the Bonds of that maturity in chronological order or any other order specified by the City. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the Bonds to be cancelled or evidence thereof satisfactory to the Registrar.

In the case of Bonds of a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion

thereof. Unless waived by the registered owner of a Bond to be redeemed, notice of redemption shall be given by the Registrar in the name of the City by mailing such notice at least thirty days and not more than sixty days prior to the redemption date, by first-class mail, postage prepaid, to the registered owners (initially Cede & Co.) of the Bonds to be redeemed at their addresses as shown on the registration records. Failure to give such notice to the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. All such notices of redemption shall be dated and shall state: (i) the redemption date, (ii) the redemption price, (iii) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (iv) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (v) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent. After such notice has been given in the manner hereinbefore provided, the Bond or Bonds called for redemption shall become due and payable on the designated redemption date, and upon presentation and surrender thereof the City will pay the Bond or Bonds called for redemption. Installments of interest due on the redemption date shall be payable as herein provided for payment of interest. A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the Bondholder of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Section 5. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, each of the Bonds shall be signed and executed in the name of the City with the manual or facsimile of the signature of the Mayor, countersigned with the manual or facsimile of the signature of the City Treasurer, shall be attested with the manual or facsimile of the signature of the City Clerk and the seal of the City or a facsimile thereof shall be affixed thereto. The Bonds bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City (subject to the requirement of authentication by the Registrar as hereinafter provided) notwithstanding that

before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign any Bond at the time of its execution and of the execution of a signature certificate may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the Bond. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the manual signature of the Registrar (or a duly authorized officer thereof), and such certificate of authentication of the Registrar upon any Bond shall be the only competent evidence that such Bond has been duly issued and delivered. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar shall direct the Paying Agent to pay such Bond in lieu of replacement.

Section 6. Records for the registration and transfer of the Bonds shall be kept by the Registrar. A Bond shall be fully transferable by the registered owner thereof in person or by his or her duly authorized attorney on the registration records kept at the office of the Registrar upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon the surrender for transfer of any Bond at the principal office of the Registrar, duly endorsed for transfer or accompanied by an assignment (in form satisfactory to the Registrar) duly executed by the registered 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, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar for an equal aggregate principal amount of Bonds of other authorized denominations. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer or exchange, and may charge a sum sufficient to pay the cost of preparing and

authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from a redemption of a portion of a Bond. The Registrar shall not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part as herein provided.

Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, such Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar.

The person in whose name a Bond shall be registered on the registration records kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and neither the City, the Paying Agent nor the Registrar shall be affected by any notice to the contrary. Payment of principal of, premium, if any, and interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his or her legal representative (except as provided above for the payment of interest to the registered owner as of the Record Date or a Special Record Date). 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.

The foregoing provisions of this Section are subject to the provisions of Section 8 hereof.

Section 7. Subject to the registration provisions hereof, the Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code -- Investment Securities.

Section 8. Notwithstanding the provisions of Sections 4 through 6 hereof, the Bonds shall initially be evidenced by one Bond for each year in which 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 ("DTC"), the securities depository for the Bonds. So long as the

Bonds are held by DTC, the Paying Agent, the Registrar and the City may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of, premium, if any, and interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to the registered owners under this Ordinance, registering the transfer of such Bonds, obtaining any consent or other action to be taken by the registered owners and for all other purposes whatsoever, and neither the Paying Agent, the Registrar nor the City shall be affected by any notice to the contrary. Neither the Paying Agent, the Registrar nor the City shall have any responsibility or obligation to any DTC participant or indirect participant, any beneficial owner of the Bonds, or any other person which is not shown on the registration records of the Registrar as being a registered owner with respect to the accuracy of any records maintained by DTC or any DTC participant or indirect participant; the payment by DTC or any DTC participant or indirect participant of any amount in respect of the Bonds; any notice which is permitted or required to be given to the registered owners under this Ordinance; the selection by DTC or any DTC participant or indirect participant of any person to receive payment in the event of a partial redemption of the Bonds or any consent given or other action taken by DTC as owner. After such initial issuance of the Bonds, the Bonds may not thereafter be transferred or exchanged except:

A. to any successor of DTC 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

B. upon the resignation of DTC or a successor or new depository under paragraph A or this paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable 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 DTC or such successor or new depository; or

C. upon the resignation of DTC or a successor or new depository under paragraph A or paragraph B, or a determination by the City that DTC or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, within 90 days thereafter to locate another qualified depository institution under paragraph B to carry out such depository functions or upon a determination by the City that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain Bond certificates and the delivery by the City of written notice thereof to the Registrar and the Paying Agent.

In the case of a transfer to a successor of DTC or its nominee as referred to in paragraph A above or designation of a new depository pursuant to paragraph B above, upon receipt of the Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond 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 paragraph C above and, if applicable, the failure after reasonable investigation within 90 days thereafter to locate another qualified depository institution for the Bonds as provided in paragraph C above, and upon receipt of the 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 and any integral multiple thereof, as provided in Section 3 hereof, registered in the names of such persons and in such denominations as are requested in such written transfer instructions; provided, 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.

The City, the Registrar and the Paying Agent shall endeavor to cooperate with DTC or any successor or new depository named pursuant to paragraph A or B above in effectuating payment of the principal of, premium, if any, and interest on 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.

Upon any partial redemption of any of the Bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final

maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

Section 9. Pursuant to NRS 271.505, the Bonds shall contain a recital that they are issued pursuant to Chapter 271, Nevada Revised Statutes, which recital shall conclusively impart full compliance with all of the provisions of the Act, and all Bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 10. 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 or 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)

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any certificate 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.

UNITED STATES OF AMERICA

STATE OF NEVADA CITY OF LAS VEGAS

NO. R-_____ \$_____

CITY OF LAS VEGAS, NEVADA

SPECIAL IMPROVEMENT DISTRICT NO. 707 (SUMMERLIN AREA)

LOCAL IMPROVEMENT BOND

SERIES JULY 1, 1996

Interest Rate Maturity Date Dated as of CUSIP Number

___% per annum _____ July 1, 1996

REGISTERED OWNER

PRINCIPAL AMOUNT DOLLARS

City of Las Vegas, Nevada (the "City"), for value received, hereby promises to pay, out of funds available for that purpose as hereinafter set forth, to the registered owner specified above or registered assigns the principal amount specified above on the maturity date specified above (unless this Bond shall have been called for prior redemption, in which case on such redemption date) and to pay solely from such available funds interest hereon at the interest rate per annum specified above, said interest being payable on

June 1 and December 1 in each year, commencing December 1, 1996. 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. Both principal and interest are payable in lawful money of the United States of America without deduction for exchange or collection charges. The principal of this Bond shall be payable to the person in whose name this Bond is registered (the "registered owner") on the registration records maintained by the registrar of the City, presently the City Treasurer in Las Vegas, Nevada, (the "Registrar"), upon presentation and surrender of this Bond as it becomes due. The interest hereon shall be paid by check mailed by the paying agent of the City, presently the City Treasurer in Las Vegas, Nevada (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 registered owner at his or her address as it last appears on the registration records kept for that purpose by the Registrar on the fifteenth day of the calendar month preceding the calendar month in which such interest payment date occurs or on a special record date established by the Registrar for the payment of defaulted interest. Alternative means of payment of interest may be used if mutually agreed to between the registered owner of this Bond and the Paying Agent. If, upon presentation and surrender to the Paying Agent at maturity or prior redemption, payment of this Bond is not made as herein provided, interest hereon shall continue at the same rate per annum until the principal hereof is paid in full. Interest on this Bond shall be calculated based on a 360-day year consisting of twelve 30-day months.

This Bond is one of a series of bonds designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Local Improvement Bonds, Series July 1, 1996" (the "Bonds") issued by the City in the aggregate principal amount of \$40,000,000 for the purpose of providing funds to pay the cost and expenses of acquiring and improving a streets, sanitary sewers, storm sewers, and water mains (the "Project") within the City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) (the "District"). The Bonds have been authorized and issued pursuant to an ordinance (the "Ordinance") duly adopted by the City Council and the Consolidated Local Improvements Law, Chapter 271, Nevada Revised Statutes (the "Act").

The Bonds are subject to redemption at the option of the City from

any legally available funds on any interest payment date in whole, or in part from any maturities, in any order of maturity and by lot within a maturity in such a manner as the City may determine, (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to 100% of the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date, plus a premium computed in accordance with the following schedule:

<u>Redemption Period</u>	<u>Redemption Premium</u>
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

The Bonds maturing December 1, _____ are subject to mandatory sinking fund redemption as provided in the Ordinance at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the redemption date. The Bonds to be so redeemed shall be selected by lot in such manner as the Registrar shall determine (giving proportionate weight to Bonds in denominations larger than \$5,000).

Redemption shall be made upon not less than thirty days' prior notice by mailing to the registered owner of each Bond to be redeemed at the address shown on the registration records in the manner and upon the conditions provided in the Ordinance.

Upon any partial prior redemption of this Bond, Cede & Co., in its discretion, may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment.

Pursuant to the Ordinance, the payment of the principal of, premium, if any, and interest on the Bonds shall be made from and as security for such payment there is pledged, a special fund designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund" (the "Bond Fund") containing the receipts upon the collection thereof from the special assessments (the "Assessments") levied against and secured by a lien upon the property in the District specially benefited by the Project,

which fund shall be used for the full and prompt payment of the Bonds and the interest thereon, and shall be used for no other purpose whatsoever except as permitted by the Ordinance. Whenever there is a deficiency in the Bond Fund, the deficiency must be paid out of the special fund designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund" in the priority specified in the Ordinance (the Assessments, the Bond Fund, the Bond Reserve Fund, such other special funds collectively, the "Trust Estate"). Pursuant to NRS § 271.477, the Bonds are not payable from the sources identified in NRS § 271.495 and 271.500.

Pursuant to the Ordinance, the Trust Estate has been irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessments shall constitute a first and exclusive lien on the Assessments for the foregoing purposes in accordance with the terms of the Ordinance; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

The City Treasurer shall collect, receive and enforce the payment of all Assessments made and levied for the Project, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Ordinance, the Financing Agreement and the other proceedings of the City relating thereto.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 and any integral multiple thereof. Upon surrender of any Bond at the principal office of the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his or her duly authorized attorney, and receipt by the Registrar of the fees and charges provided in the Ordinance, such Bond may be exchanged for an equal aggregate principal amount of Bonds of other authorized denominations, subject to the terms and conditions set forth in the Ordinance.

*This Bond is fully transferable by the registered owner hereof 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, and upon the payment of the fees and charges provided in the Ordinance. Upon such

transfer a new fully registered Bond or Bonds of authorized denomination or denominations of the same aggregate principal amount will be issued to the transferee in exchange for this Bond, subject to the terms and conditions set forth in the Ordinance.*

The Registrar will not be required to transfer or exchange (i) any Bond during the period beginning at the opening of business fifteen days before the date of the mailing by the Registrar of a notice of redemption of Bonds and ending at the close of business on the date such notice is mailed, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption except the unredeemed portion of any Bond redeemed in part.

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

The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Ordinance with respect to Record Dates and Special Record Dates for the payment of interest) and for all other purposes, and neither the City, the Registrar nor the Paying Agent shall be affected by any notice to the contrary.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be modified or amended by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this Bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of the Bonds does not exceed the amount authorized by law nor the total unpaid special assessments levied to cover the cost of the Project; that this Bond is issued under the authority of the Act and that this Bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings with reference to the Project, the levying of the assessments to pay the cost and expense of the Project and the issuance of the Bonds have been regularly had and taken in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property

benefited by the Project and of the liability of the owner or owners of such property therefor have been performed.

This Bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

IN WITNESS WHEREOF, the City of Las Vegas, Nevada has caused this Bond to be signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, to be countersigned with the manual or facsimile signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the manual or facsimile signature of the City Clerk, has caused the seal of the City or a facsimile thereof to be affixed hereon, and has caused this Bond to be dated as of the date specified above.

(For Manual or Facsimile Signature)

Mayor

(For Manual or Facsimile Signature)

City Treasurer

(MANUAL OR FACSIMILE SEAL)

Attested:

(For Manual or Facsimile Signature)

City Clerk

* Insert only if Bonds are delivered pursuant to paragraph C of Section 8 of this Ordinance.

** Insert only if Bonds are initially delivered to The Depository Trust Company pursuant to the first paragraph of Section 8 of this Ordinance.

(Form of Registrar's Certificate of Authentication)

Date of Registration: _____

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

CITY TREASURER, CITY
OF LAS VEGAS, NEVADA, as Registrar

By _____ (Manual Signature)

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

(Form of Assignment Provision)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ to transfer the within Bond on the records kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatever. The signature must be guaranteed by an eligible guarantor institution as defined in 17 CFR § 240.17 Ad-15(a)(2).

Signature Guaranteed:

Address of Transferee:

Social Security or other tax
identification number of
transferee:

(End of Form of Assignment)

(Form of Legal Opinion Certificate)

STATE OF NEVADA)
) ss. LEGAL OPINION CERTIFICATE
CITY OF LAS VEGAS)

The undersigned, City Clerk of City of Las Vegas, Nevada, does hereby certify that the following approving legal opinion of Swendseid & Stern, a member in Sherman & Howard L.L.C., Attorneys at Law, Las Vegas, Nevada:

(Attorneys' opinion is to be inserted in submargins, including a complimentary closing and "/s/ Swendseid & Stern, a member in Sherman & Howard L.L.C.)"

is a true, perfect, and complete copy of a manually executed and dated copy thereof on file in the records of the City Clerk in my office; that a manually executed and dated copy of the opinion was forwarded to a representative of the original purchaser of the Bonds for retention in its records; and that the opinion was dated and issued as of the date of delivery of and payment for the Bonds.

IN WITNESS WHEREOF, I have caused to be hereunto affixed a facsimile of my signature.

(Facsimile Signature)
City Clerk

(End of Form of Legal Opinion Certificate)

Section 11. When the Bonds have been duly executed and authenticated, they shall be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized by the City from the sale of the Bonds (net of the Purchaser's discount) shall be applied as follows:

(a) An amount equal to accrued interest on the Bonds from July 1, 1996 until delivery of the Bonds, shall be deposited in a special fund to be held by the City Treasurer and hereby created, to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Fund".

(b) An amount equal to the minimum reserve requirement shall be deposited in a special fund to be held by the City Treasurer and hereby created, to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Bond Reserve Fund."

(c) The remainder of such proceeds shall be deposited in a special account to be held by the City Treasurer hereby created and to be designated as the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Construction Fund".

There are also hereby created the following special funds and accounts to be held by the City Treasurer and designated as:

(a) "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Administration Fund".

(b) "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund".

(c) City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Extraordinary Maintenance Repair and Improvement Account."

The Purchaser shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale of the Bonds or of any other funds herein designated.

Amounts in all of such funds and account may be invested by the City in securities which are permitted investments for City funds under Chapter 355 of NRS. Investment income remains in such funds or account unless otherwise provided herein.

Section 12. The Construction Fund shall be a special trust fund held by the City Treasurer. All money in the Construction Fund shall be applied by the City for the payment of cost (as defined in the Act) of the acquisition and improvement of the Project, which includes the payment of the costs of issuance of the Bonds, all in accordance with the Financing Agreement. The amount of any income realized from the investment of the money in the Construction Fund shall be retained in the Construction Fund or, at the option of the City, transferred to the Rebate Fund. When the acquisition and improvement of the Project have been completed, the City shall either (i) transfer any remaining balance of money in the Construction Fund to the Bond Fund or (ii) retain such balance in the Construction Fund to be applied for the payment of the cost of any additional projects permitted by the Act and agreed to by the City and the Developer pursuant to the Financing Agreement. Any such moneys transferred to the Bond Fund shall be credited against the Assessment Installments to become due and payable, with an appropriate payment to the owner of any assessed parcel whose Assessment has been paid in full.

Section 13. The City Treasurer is authorized, empowered and directed, and it shall be his or her duty, to receive, collect and enforce the payment of all Assessments made and levied for the Project, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to the person or persons entitled thereto pursuant to the provisions of this Ordinance, the Financing Agreement and the Act. All moneys received from the Assessments, both principal and interest, shall be deposited in the Bond Fund (except to the extent required to replenish the Bond Reserve Fund). All moneys deposited in the Bond Fund shall be used as soon as the funds are available for the purpose of paying the principal of and the interest and prior redemption premiums on the Bonds as they become due and payable, and (except as herein and in the Financing Agreement provided) for no other purpose whatsoever, and the Bond Fund is hereby pledged as security for such purposes. Interest and other gain on moneys in the Bond Fund shall (i) prior to the completion of the acquisition and improvement of the Project (including any additional projects pursuant to Section 12 hereof) be transferred quarterly to the Construction Fund and (ii) after such completion be retained

in the Bond Fund. Notwithstanding the foregoing, after June 1 of each fiscal year the interest portion of the Assessment Installments that is not used to pay the principal and interest on the Bonds shall be transferred from the Bond Fund to the Administration Fund and used to pay the reasonable administration and other expenses of the City in connection with the Bonds, the Assessments and the Project and for certain other purposes, all as provided in Section 2.5 and Section 2.7B of the Financing Agreement. The Bonds and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection of the Assessments and from the remainder of the Trust Estate. Pursuant to NRS 271.477, the Bonds are not payable from the sources identified in NRS 271.495 and 271.500.

Section 14.

A. Whenever there is a deficiency in the Bond Fund, the deficiency shall be paid from amounts in the Bond Reserve Fund. The Bond Reserve Fund shall be a special trust fund held by the City Treasurer as a continuing reserve to secure the payment of the Bonds by meeting possible deficiencies in the payment of the principal of and the interest on the Bonds resulting from the failure to deposit into the Bond Fund sufficient funds to pay the principal and interest on the Bonds as the same accrue. The City hereby pledges the Bond Reserve Fund for such purpose.

B. An amount equal to the minimum reserve requirement shall be deposited to the Bond Reserve Fund from the proceeds of the Bonds. The Bond Reserve Fund will be used as additional security for the Bonds to pay any principal and interest on the Bonds when due, if the payments of the Assessment Installments are insufficient for that purpose.

C. All amounts in the Bond Reserve Fund in excess of the minimum reserve requirement, derived from interest earned on amounts in the Bond Reserve Fund or otherwise shall be applied to the following in the following order of priority:

(1) First, when needed to pay the principal of and interest on the Bonds then due to the extent not provided from Bond proceeds including accrued interest or from the Assessment Installments and interest. Interest used under this clause to pay the principal of and interest on the Bonds shall be applied before a withdrawal is made from the balance in the Bond Reserve Fund.

(2) Second, when needed for transfer to the Administration Fund to pay all administrative and other expenses of the City associated with the Project, the Bonds or the Assessments.

(3) Third, at the time of any prepayment of any Assessment, to provide any refund then owed under paragraph E of this section.

(4) Fourth, at least annually commencing after the April 1, 1998 Assessment payment, used to call Bonds prior to their stated due dates or held in an account for payment of the Bonds at or prior to their due dates, whichever the Treasurer determines is in the financial best interests of the City. No funds shall be applied as provided in this clause 4 unless they have been held in the Bond Reserve Fund for at least one year.

D. If because of any delinquent Assessment an amount is withdrawn from the Bond Reserve Fund to pay the principal of or interest on the Bonds, and that Assessment is later paid in whole or in part (or amounts are received at a foreclosure sale or otherwise as a result of enforcing the payment of the delinquent Assessment), to the extent available from that payment of the delinquent Assessment (including penalty and interest but after payment of costs of collection), an amount equal to the greater of (i) the amount withdrawn plus interest at the Assessment interest rate, or (ii) the amount necessary to restore the Bond Reserve Fund to the minimum reserve requirement, shall be paid to the Bond Reserve Fund from the payment of the delinquent Assessment.

E. Except as provided in the succeeding sentence, at the time the Assessment against any parcel of property is voluntarily paid in full, the person who owned the property at the time of the payment in full shall be entitled to a refund, in cash, equal to that property's pro rata share of the balance then in the Bond Reserve Fund, and the minimum reserve requirement shall be recalculated to reflect the payment in full of that Assessment. Such refund, in cash or otherwise, shall be made only to the extent the balance in the Bond Reserve Fund after making the refund would not be less than the minimum reserve requirement, as recalculated, but if this structure prevents all or a part of such a refund, that refund (or, an additional partial refund, as the case may be) shall be made if and when money is available in the Bond Reserve Fund to make the payment and as otherwise provided in paragraph C of this section. This section does not prevent the City from amending this Ordinance, the Assessment Ordinance or any other documents executed in

connection with the Bonds to provide for other uses of the Bond Reserve Fund in connection with a refunding of the Bonds and the owners of the property assessed in the District have no entitlement to any amounts in the Bond Reserve Fund in the event of such an amendment.

Section 15. The Trust Estate is hereby irrevocably pledged to and shall be used for the punctual payment of the principal of, premium, if any, and interest on the Bonds, and for payment of the continuing costs of the Bonds as set forth in Section 13 hereof, and the Trust Estate shall not be used for any other purpose while any of the Bonds remain outstanding. The pledge of the Assessment Installments shall constitute a first and exclusive lien on the Assessment Installments for the foregoing purposes in accordance with the terms hereof; provided that pursuant to the Act such lien is coequal with the latest lien on the real property in the District to secure the payment of general (ad valorem) taxes.

Section 16. There shall be deposited into the "City of Las Vegas, Nevada Special Improvement District No. 707 (Summerlin Area) Rebate Fund" any amounts paid by the City for deposit therein. The Rebate Fund shall be held by the City Treasurer, but shall not constitute part of the Trust Estate. Notwithstanding any other provision of this Ordinance or of the Financing Agreement, any investment income or other gain on moneys in the Construction Fund, the Bond Fund or the Bond Reserve Fund may be transferred to the Rebate Fund to enable the City to satisfy the requirements of Section 148(f) of the Code. Moneys in the Rebate Fund shall be paid to the United States by the City in the amounts and at the times required by the Code. Any excess moneys contained in the Rebate Fund shall be transferred to the Bond Fund. Upon payment of all amounts due to the United States pursuant to Section 148 of the Code, any moneys remaining in the Rebate Fund shall be transferred to the City's general fund. Moneys in the Rebate Fund are not part of the Trust Estate.

Section 17. So long as any of the Bonds remain outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of the Assessment Installments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Construction Fund, the Bond Fund, the Bond Reserve Fund and the Rebate Fund, and covering the payment of the principal of, premium, if any, and interest on the Bonds. The