

Summary - An ordinance authorizing the issuance by the City of Las Vegas, Nevada, of its General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009 in the aggregate principal amount of not to exceed \$15,000,000 and providing other matters relating thereto.

BILL NO. 2009-39
ORDINANCE NO. 6061

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 MEDIUM-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS (MAIN STREET PARKING GARAGE), SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING A PARKING GARAGE AT 500 S. MAIN STREET TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); and

WHEREAS, pursuant to Section 7.020 of the Charter, the City, acting through the City Council (the "Council") is authorized to borrow money for any municipal purpose and for such purpose may issue bonds or other securities, and pursuant to Nevada Revised Statutes ("NRS") 268.672 to 268.740, inclusive (the "City Bond Law"), the City is authorized to issue bonds to finance the costs of acquiring, constructing, improving and equipping a parking garage at 500 S. Main Street to be used for the Smith Center and other City properties (the "Project"); and



WHEREAS, pursuant to NRS 350.087 to 350.095, inclusive (the “Act”), the City is authorized to issue medium-term obligations to finance the Project and to issue, as evidence thereof, negotiable medium-term notes or bonds which shall not be paid in whole or in part from a levy of a special tax exempt from the limitations on the levy of ad valorem tax, but which shall be paid from other legally available funds of the City (subject to certain Constitutional and statutory tax limitations), which must mature not later than 10 years after the date of issuance and must bear interest at a rate or rates which do not exceed by more than 3 percent the “Index of Twenty Bonds” which was most recently published before bids for their purchase are received; and

WHEREAS, pursuant to NRS 350.087, the Council determined to publish a notice (the “Notice”) of its intention to authorize and to issue medium-term obligations in the maximum principal amount of \$15,000,000 in a newspaper of general circulation in the City and an affidavit of such publication is on file in the office of the City Clerk; and

WHEREAS, the Council adopted by at least a two-thirds majority a resolution authorizing medium-term obligations in the maximum principal amount of \$15,000,000 to finance the Project (the “Authorizing Resolution”) which contained a finding by the Council that the public interest requires medium-term obligations and a statement of the facts upon which the finding was based, which vote was taken at least 10 days after the publication of the Notice; and

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

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

(Attach Approval of Department of Taxation)



JIM GIBBONS
Governor
THOMAS R. SHEETS
Chair, Nevada Tax Commission
DINO DICIANNO
Executive Director

STATE OF NEVADA
DEPARTMENT OF TAXATION

Web Site: <http://tax.state.nv.us>
1550 College Parkway, Suite 115
Carson City, Nevada 89706-7937
Phone: (775) 684-2000 Fax: (775) 684-2020

LAS VEGAS OFFICE
Grant Sawyer Office Building, Suite 1300
555 E. Washington Avenue
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Phone: (702) 486-2300 Fax: (702) 486-2373

RENO OFFICE
4600 Kietzke Lane
Building L, Suite 235
Reno, Nevada 89502
Phone: (775) 688-1265
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HENDERSON OFFICE
2550 Paseo Verde Parkway Suite 180
Henderson, Nevada 89074
Phone: (702) 486-2300
Fax: (702) 486-3377

September 1, 2009

Mrs. Venetta K. Appleyard
Financial Services Manager
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: Medium-term Financing Request

Dear Mrs. Appleyard:

The request of the City Council of the City of Las Vegas for the approval of a medium-term obligation has been received. The purpose of the obligation is to fund the cost of acquiring, constructing, improving & equipping a parking garage project in the City, in an amount not to exceed \$ 15,000,000.00; and for a period not to exceed ten years. The request has been reviewed as required by NRS 350.089 and is approved.

Pursuant to NRS 350.089, this approval must be recorded in the minutes of the governing board. You are reminded the financing must be secured within eighteen months of receipt of this approval.

Sincerely,

Dino DiCianno
Executive Director

DD:wra

cc: Andrew Artusa
John Swendsoid

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

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

WHEREAS, pursuant to the Authorizing Resolution, the Council ordered the medium-term obligations to be offered for sale in the form of medium-term bonds and authorized the City's Director of Finance and Business Services (the "Finance Director") to arrange for the sale of such medium-term bonds; and

WHEREAS, the Council hereby determines that the bonds herein authorized to be issued shall be designated the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009" in the aggregate principal amount of not to exceed \$15,000,000 (the "Bonds"); and

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

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

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

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

WHEREAS, the Council is therefore authorized and empowered by the Charter, the City Bond Law, the Act, the approval of the Executive Director of the Department of Taxation, and the Bond Act, without any further preliminaries:

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

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

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

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

WHEREAS, there have been presented to the Council at this meeting (i) the Preliminary Official Statement for the Bonds (the "Preliminary Official Statement"), and (ii) the proposed form of the Continuing Disclosure Certificate (the "Disclosure Certificate"); and

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

the Federal Government, has been met; and pursuant to NRS 350.708, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion.

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

SECTION 1. Short Title. This Ordinance shall be known and may be cited as the “2009 Medium-Term Bond Ordinance” (this “Ordinance”).

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

SECTION 3. Ratification. All action heretofore taken by the Council and the officers and employees of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds is ratified, approved and confirmed including, without limitation, the Official Notice of Bond Sale, and the distribution of the Preliminary Official Statement and the and the Final Official Statement in substantially the form thereof (the “Official Statement”).

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

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

SECTION 6. Authorization of Bonds. For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue its “City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009” in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed \$15,000,000). The Bonds shall be in the form substantially as set forth in Section 24 of this Ordinance.

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

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

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

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

SECTION 11. Limitations upon Security. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 12. No Recourse Against Officers and Agents. No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of

any penalty or otherwise, all such liability, if any, being by the acceptance of the Bond and as a part of the consideration of its issuance specially waived and released.

SECTION 13. Bond Details. The Bonds shall be issued in fully registered form. The Bonds shall be dated as of the date of their delivery, and except as otherwise provided in Section 17 hereof, shall be issued in denominations of \$5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on the maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall bear interest from their date until their maturity date at the rates set forth in the Certificate of the Finance Director, payable on April 1 and October 1 of each year commencing on April 1, 2010; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature on the designated dates (not to exceed ten years from the date of the Bonds) and in the amounts of principal as designated in the Certificate of the Finance Director. The principal of any Bond shall be payable to the owner thereof as shown on the registration records kept by the City Treasurer in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity and upon presentation and surrender at the office of the City Treasurer, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid in full.

Except as otherwise provided in Section 17 hereof, payment of interest on any Bond shall be made to the owner thereof by check or draft mailed by the Paying Agent, on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the fifteenth day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the

registration records of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent. All such payments of principal and interest shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

SECTION 14. A. Optional Redemption. The Bonds may be subject to redemption at the option of the City, to the extent provided in the Certificate of the Finance Director, from any legally available funds on the dates and at the prices set forth in the Certificate of the Finance Director, if any.

B. Mandatory Redemption. The Bonds set forth in the Certificate of the Finance Director, if any (the "Term Bonds"), shall be subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount thereof and accrued interest to the redemption date. As and for a sinking fund for the redemption of the Term Bonds, there shall be deposited into the Medium-Term Debt Service Fund (as defined in Section 30 hereof) on or before the principal payment date, of the years set forth in the Certificate of the Finance Director, a sum which, together with other moneys available in the Medium-Term Debt Service Fund, is sufficient to redeem (after credit is provided below) on the dates and in the principal amounts of the Term Bonds as set forth in the Certificate of the Finance Director plus accrued interest to the redemption date.

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for redemption (by lot or in such other manner as the Registrar may determine) from all outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions

thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in subparagraph C of this Section.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. 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 respective Term Bonds or portions thereof to be canceled or in the event the Bonds are registered in the name of Cede & Co. as provided in Section 17 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in 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, except as otherwise provided in Section 17 hereof, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. In the case of a partial redemption of Bonds of a single maturity pursuant to Subsections A or B of this Section, the Paying Agent shall select the Bonds to be redeemed by lot at such time as directed by the City (but at least 30 days prior to the redemption date), and if such selection is more than 60 days before a redemption date, except as otherwise provided in Section 17 hereof, shall direct the Registrar to appropriately identify the Bonds so called for redemption by stamping them at the time any Bond so selected for redemption is presented to the Registrar for stamping or for transfer or exchange, or by such other method of identification as deemed adequate by the Registrar, and any Bond or Bonds issued in exchange

for, or to replace, any Bond or Bonds so called for prior redemption shall likewise be stamped or otherwise identified.

D. Notice of Redemption. 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 fifteen 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 CUSIP number or numbers of the Bonds to be redeemed; (ii) the redemption date, (iii) the redemption price, (iv) 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, (v) 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 (vi) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Registrar. 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.

Notwithstanding the foregoing provisions, any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Registrar of funds on or before the date fixed for redemption sufficient to pay the redemption price of the bonds so called for redemption, and that if such funds are not available, such redemption shall be canceled by written notice to the registered owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

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

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

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

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

C. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the City may reasonably require, and upon payment of all expenses in connection therewith, authenticate

and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

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

SECTION 17. Book Entry.

A. Notwithstanding the foregoing provisions of this Ordinance, the Bonds shall initially be evidenced by one Bond per maturity in denominations equal to the aggregate principal amount of such maturity or, in the case of any Term Bonds, the Bonds shall initially be evidenced by one Bond for each term in denominations equal to the aggregate principal amount of the Bonds maturing in that term.. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

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

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the Council that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the Council of another depository institution acceptable to the Council and to the depository then holding the bonds, which new depository institution must be both a "clearing corporation" as defined in NRS 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository; or

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

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then outstanding or, in the case of the Term Bonds, for each term of the Bonds then outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the outstanding bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 or any integral multiple thereof, as provided in any subject to the limitations of Section 13 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

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

D. The Council, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection A hereof in effectuating payment of the Bond

Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

SECTION 18. Execution and Authentication.

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

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be signed and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

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

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

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

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

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

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

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

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

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

**CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX)
MEDIUM-TERM BONDS
(MAIN STREET PARKING GARAGE)
SERIES 2009**

No. _____ \$ _____

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated As of</u>	<u>CUSIP</u>
_____ %	October 1, _____	_____, 2009	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Las Vegas, Clark County, in the State of Nevada (the "City", the "County" and the "State", respectively) for value received, hereby acknowledges itself to be indebted and promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above, and to pay interest thereon on April 1 and October 1 of each year, commencing on April 1, 2010, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for. This Bond shall bear interest from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of this Bond. The principal of this Bond is payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds (the "Paying Agent"), presently the City Treasurer in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed by first class mail to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the fifteenth day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date and the date for payment of defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date and the date for payment of defaulted interest shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of

interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the ordinance of the City Council of the City of Las Vegas (the "Council") authorizing the issuance of the Bonds (the "Bonds") and designated in Section 1 thereof as the "2009 Medium-Term Bond Ordinance" (the "Ordinance"), duly adopted by the Council on October 7, 2009. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

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

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

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

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

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

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

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of acquiring,

constructing, improving and equipping a parking garage adjacent at 500 S. Main Street to be used for the Smith Center and other City properties, under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter") pursuant to Nevada Revised Statutes ("NRS") 268.672 to 268.740, inclusive (the "City Bond Law"), pursuant to NRS 350.087 to 350.095, inclusive (the "Act"), pursuant to NRS 350.500 through 350.720, and all laws amendatory thereof, designated in NRS 350.500 as the "Local Government Securities Law" (the "Bond Act"), and pursuant to the Ordinance; pursuant to NRS 350.628, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to NRS 350.710, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to Chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to Chapter 375B of NRS.

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

[Certain maturities of the Bonds are subject to optional redemption, as provided in the Ordinance and the Certificate of the Finance Director.]

[Certain of the Bonds are subject to mandatory sinking fund redemption, as provided in the Ordinance and the Certificate of the Finance Director.]

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

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Council, or any officer or other agent of the City, past, present, or future, either directly or indirectly through the Council or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.

It is hereby certified, recited, declared and warranted that all actions required to be taken prior to the issuance hereof have been had and taken by the City; that the issuance of the Bonds has been approved by the Executive Director of the Department of Taxation of the State of Nevada as required by the Act, and that the principal of the Bonds, when added to other City indebtedness, does not exceed the limits on indebtedness of the City provided in the Constitution and statutes of the State.

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 Council of the City of Las Vegas, Clark County, State of Nevada, has caused this Bond to be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor of the City, to be attested, signed and executed with a manual or facsimile signature of the City Clerk and to be signed, subscribed and executed by the manual or facsimile signature of the City Treasurer, and has caused a manual or facsimile impression of the seal of the City to be affixed hereon, all as of October __, 2009.

(MANUAL OR FACSIMILE
CITY SEAL)

CITY OF LAS VEGAS, NEVADA

Attest:

(Manual or Facsimile Signature)

Mayor

(Manual or Facsimile Signature)

City Clerk

(Manual or Facsimile Signature)

City Treasurer

* Insert only if Bonds are delivered pursuant to Section 16(A)(3) of this Ordinance.

** Insert only if Bonds are delivered pursuant to Section 16(A) of this Ordinance.

(End of Form of Bond)

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

Date of authentication
and registration _____

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

CITY OF LAS VEGAS TREASURER
as Registrar

By _____ Manual Signature
Authorized Officer or Employee

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

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

(Form of Assignment for Bonds)

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

Dated: _____

Signature Guaranteed:

Name of Transferee:

Address of Transferee:

Social Security or other tax
identification number of
Transferee:

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

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

(End of Form of Assignment for Bonds)

SECTION 25. Use of Bond Proceeds. Upon the issuance of the Bonds, the Treasurer shall cause the proceeds of the Bonds received from the sale of the Bonds to be deposited into a special account hereby created and designated as the “City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009, Construction Account” (the “Construction Account”) to be held by the City. Moneys in the Construction Account shall be used solely to defray wholly or in part the cost of the Project including, without limitation, as provided in NRS 350.516, all costs of issuing the Bonds, and the costs of rebates to the United States under Section 148 of the Internal Revenue Code of 1986, as amended (the “Tax Code”), which the Council hereby determines are necessary and desirable and pertain to the Project. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, pursuant to NRS 350.650, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Construction Account shall be deposited into the Medium-Term Debt Service Fund hereinafter created to be used to pay the principal of and interest on the Bonds.

SECTION 26. Use of Investment Gain. Pursuant to NRS 350.658, any gain from any investment and any reinvestment of any proceeds of the Bonds, if needed to defray the cost of the Project, shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Construction Account, and if not needed to defray the cost of the Project, shall be deposited promptly into the Medium-Term Debt Service Fund, for the respective payment of the principal of or interest on the Bonds, or any combination thereof. As provided in Section 34 hereof, any annual General Taxes for the payment of the principal of or interest on the Bonds levied after such deposits of any such investment or reinvestment gain, may be diminished to the extent of the availability of such deposit for the payment of such principal or interest.

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

SECTION 28. Prevention of Bond Default. Subject to the provisions of Sections 30 and 34 hereof, the Treasurer shall use any Bond proceeds credited to the Construction Account, without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys otherwise available therefor

are insufficient for that purpose, unless such Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The Treasurer shall promptly notify the Council of any such use.

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

SECTION 30. General Tax Levies. Pursuant to NRS 350.596, any sums coming due on the Bonds at any time when there are not on hand in the Medium-Term Debt Service Fund sufficient funds to pay same shall be promptly paid when due out of the Construction Account or out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of General Taxes legally available therefor. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there is hereby created a separate account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009, Debt Service Fund" (the "Medium-Term Debt Service Fund"). Pursuant to NRS 350.592, 350.594, 350.093 and 350.095, except to the extent other funds are legally available therefor, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installment of interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay and retire the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to the Medium-Term Debt Service Fund for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance

for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS 354.59811, 354.59813, 354.59815, 354.5982 and 361.453, and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all such revenues received by the City.

SECTION 31. Priorities for Bonds. In any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City exceeds the limitation imposed by NRS 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitations of NRS 361.453, 354.59811, 354.59813 and 354.5982.

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

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

SECTION 34. Use of Other Funds. Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, mature, and upon such payments,

the levy or levies herein provided may thereupon to that extent be diminished, pursuant to NRS 350.598.

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

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

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

A. The Project shall be completed without delay; and

B. The City will make the principal and interest payments on the Bonds at the place, on the date, and in the manner specified according to the true intent and meaning hereof.

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

SECTION 39. The City covenants and agrees that it will execute, comply with and carry out all of the provisions of the Disclosure Certificate, a copy of which is on file for public inspection in the office of the City Clerk. In the event the City fails to comply with the Disclosure Certificate, any holder or beneficial owner of the Bonds may take the remedial actions set forth therein. Breach of the undertakings of the City in the Disclosure Certificate shall not constitute a default of this Ordinance.

SECTION 40. Defeasance. When all Bond Requirements of any Bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to that Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by, the United States (“Federal Securities”) in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section “Federal Securities” shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

SECTION 41. Continuing Disclosure Certificate. The City covenants for the benefit of the holders and beneficial owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate in substantially the form now on file with the Clerk and is hereby authorized to be executed by the Finance Director and delivered in connection with the delivery of the Bonds.

SECTION 42. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall reasonably determine that it is in the best interests of the City to replace said Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any Bond at his or her address last shown on

the registration records, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent.

SECTION 43. Delegated Powers. The officers and employees of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

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

B. The printing, distribution and execution of the final official statement for the Bonds (the "Final Official Statement") in substantially the form now before the Council, but with such amendments, additions and deletions as are in accordance with the facts and not inconsistent with this Ordinance, and are approved by the execution of the Final Official Statement by the officials designated in the Final Official Statement

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

- (1) the signing of the Bonds,
- (2) the tenure and identity the officials of the City,
- (3) the assessed valuation of the taxable property in and the indebtedness of the City,
- (4) the rate of General Taxes levied against taxable property in the City,
- (5) the exclusion from gross income for federal income tax purposes of interest on the Bonds,
- (6) the delivery of the Bonds and the receipt of the Bond purchase price,
- (7) the accuracy and completeness of any information provided in connection with the Bonds, including information contained in the Official Statement,
- (8) if it is in accordance with the fact, the absence of litigation, pending or threatened, affecting the validity of the Bonds; and

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

SECTION 44. Ordinance Irrepealable. After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

SECTION 45. Implied Repealer. All ordinances, resolution bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolutions, bylaw or order, or part hereof, heretofore repealed.

SECTION 46. Publication. When first proposed, this Ordinance must be read to the Council by title and referred to a committee for consideration, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper, printed, 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 DESIGNATED BY THE SHORT TITLE "2009 MEDIUM-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS (MAIN STREET PARKING GARAGE), SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING A PARKING GARAGE AT 500 S. MAIN STREET TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

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 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on the September 16, 2009, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on October 7, 2009.

/s/ Beverly K. Bridges, CMC
City Clerk

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

SECTION 47. Publication After Adoption. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Councilmembers voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper printed, 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 DESIGNATED BY THE SHORT TITLE "2009 MEDIUM-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS (MAIN STREET PARKING GARAGE), SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING A PARKING GARAGE AT 500 S. MAIN STREET TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on September 16, 2009, and was passed at the meeting held on October 7, 2009, by the following vote of the City Council:

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

Those Voting Nay: _____

Those Absent: _____

This Ordinance shall be in full force and effect from and after the 9th day of October, 2009, 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 October 7, 2009.

Attest:

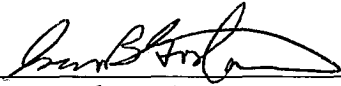
/s/ Oscar B. Goodman
Mayor

/s/ Beverly K. Bridges, CMC
City Clerk

(End of Form of Publication)

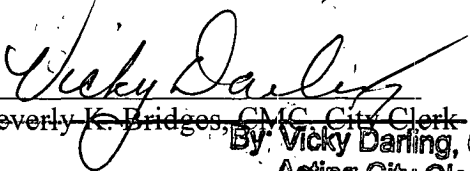
SECTION 48. Severability. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Adopted October 7, 2009.



Oscar B. Goodman, Mayor

Attest:



~~Beverly K. Bridges, CMC, City Clerk~~
By: Vicky Darling, CMC
Acting City Clerk

APPROVED AS TO FORM:

 9/8/09

Deputy City Attorney

This Ordinance shall be in full force and effect from and after October 9, 2009, i.e., the day after the publication of such Ordinance by its title only.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced on September 16, 2009 and finally adopted and approved on October 7, 2009.

2. The following members of the Council were present at the September 16, 2009 Council meeting:

Mayor:	Oscar B. Goodman Gary Reese Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow Stavros S. Anthony
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Those Absent:	None None
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3. The foregoing Ordinance was first proposed and read by title to the City Council on September 16, 2009, and referred to a committee for recommendation; thereafter said committee reported favorably on said Ordinance on October 7, 2009, which was a regular meeting of said Council; that as 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 October 7, 2009 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow Stavros S. Anthony
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Those Voting Nay:	None
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Those Absent:	None
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4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on September 16, 2009 and October 7, 2009. Pursuant to NRS 241.020, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

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

and

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

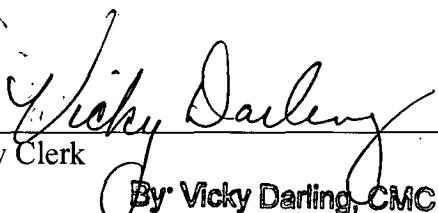
6. A copy of such notice so given of the meeting of the Council on September 16, 2009 is attached to this certificate as Exhibit A, and a copy of such notice so given of the meeting of the Council on October 7, 2009 is attached to this certificate as Exhibit B.

7. A copy of the affidavit of publication of the notice of deposit of ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of the adoption of the ordinance is attached to this certificate as Exhibit D.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this October 7, 2009.

(SEAL)


City Clerk

By Vicky Darling, CMC
Acting City Clerk

EXHIBIT A

(Attach Copy of Notice of September 16, 2009 Meeting)

CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

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

COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

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

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

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

September 16, 2009

Morning Session begins at 9:00 a.m. (following Redevelopment Agency Meeting)

Afternoon Session begins at 1:00 p.m.

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

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

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

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR EDGAR GARCIA, IGLESIA PIEDRA ANGULAR (CORNERSTONE CHRISTIAN FELLOWSHIP)
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF HISPANIC HERITAGE MONTH
7. RECOGNITION OF EDUCATIONAL EXCELLENCE BY WARD 6 TEACHERS
8. RECOGNITION OF CHAZZ BLUNT FOR CONTRIBUTIONS TO THE WARD 5 COMMUNITY
9. RECOGNITION OF THE KEEP AMERICA BEAUTIFUL CAMPAIGN

BUSINESS ITEMS - MORNING

10. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
11. Approval of the Final Minutes by reference of the regular City Council meeting of August 19, 2009

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

12. Approval to accept the award notification for the Department of Justice Byrne Memorial Grant for the City of Las Vegas as fiscal agent of the disparate jurisdiction of the City of Las Vegas, the County of Clark, the City of North Las Vegas and the City of Henderson - All Wards

BUSINESS DEVELOPMENT - CONSENT

13. Approval of Economic Development Incentive Grant Program Guidelines to provide an economic incentive to certain new businesses within the City of Las Vegas to create employment opportunities for City residents and, more particular, those residents from Community Development Block Grant (CDBG) Eligible Census Tracts (\$1,500,000 – Industrial Revenue Fund and Office District Parking I, Inc.) - All Wards

FIELD OPERATIONS - CONSENT

14. Approval of Second Amendment to Memorandum of Understanding No. 2005-02 between the City of Las Vegas and the Andre Agassi Charitable Foundation to utilize certain City premises known as the Doolittle Community Center located at 1950 North J Street - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

16. Approval of a Special Event Alcoholic Beverage License for California Hotel & Casino, Location: Main Street Parking Lot, 100 Stewart Avenue, Date: September 19, 2009, Type: Special Event General, Event: Tailgate Party before Hawaii vs. UNLV football game, Responsible Person in Charge: Lane Conley - Ward 5 (Barlow)
17. Approval of a Special Event Alcoholic Beverage License Hogs & Heifers Saloon of Las Vegas, Location: Hogs & Heifers Saloon of Las Vegas, 201 North 3rd Street, Suite 130, Dates: September 30, 2009 - October 4, 2009, Type: Special Event General, Event: Anniversary Event/Bike Fest 2009, Responsible Person in Charge: Bruce Heaton - Ward 5 (Barlow)
18. Approval of a Special Event Alcoholic Beverage License for Innerout, Inc., dba Charlie's Bar Down Under, Location: Charlie's Bar Down Under, 1950 North Buffalo Drive, Date: October 3, 2009, Type: Special Event General, Event: Summer/Fall BBQ, Responsible Person in Charge: Gary Heckethorn - Ward 1 (Tarkanian)
19. Approval of a Special Event Beer/Wine License for Las Vegas Blues Society, Location: Sammy Davis Jr. Festival Plaza, 720 Twin Lakes Drive, Date: September 26, 2009, Type: Special Event Beer/Wine, Event: Blues Festival, Responsible Person in Charge: Michael Edmiston - Ward 5 (Barlow)

20. Approval of a Special Event Alcoholic Beverage License for St. Anne Catholic School, Location: St. Anne Catholic School, 1813 South Maryland Parkway, Date: October 3, 2009, Type: Special Event General, Event: Fun Fair, Responsible Person in Charge: Lesa Coder - Ward 3 (Reese)
21. Approval of a Change of Business Name and Change of Ownership for a Package License subject to the provisions of the fire code, From: New Albertsons, Inc., dba Albertsons Store 6008, To: Cardenas Markets, Inc., dba Cardenas Markets, 4421 East Bonanza Road, Jesus M. Cardenas Sr., CEO, Dir, Luz M. Cardenas, Sr Vice Pres, Dir, Guadalupe Cardenas, CFO, Dir, Jesus Cardenas Jr, Sr Vice Pres, Mkt Dir, and George Cardenas, Vice Pres of IT, Dir - Ward 3 (Reese)
22. Approval of a new Psychic Arts and Science License subject to the provisions of the planning and fire codes, Jennifer L. Grosso, dba Jenevieve The Serpentine Sorceress, 6848 West Charleston Boulevard, Jennifer L. Grosso, Owner, 100% - Ward 1 (Tarkanian) [NOTE: This license is located in an existing business – Psychic Eye Book Shop]
23. Approval of a Special Event Alcoholic Beverage License for Mulugeta Abraham, Location: 475 South Grand Central Parkway, Date: September 29, 2009, Type: Special Event General, Event: Wedding Reception, Responsible Person in Charge: Zeman Nelson - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

24. Preapproval of award of Bid No. 07.15341.05-DC, Pavilion Pool Cover located at 101 South Pavilion Center Drive to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (\$4,800,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 2 (Wolfson)
25. Approval of award of Modification No. 4 to Contract No. 050051-DK, Software, Support, Training and Professional Services - Department of Human Resources - Award recommended to: AON ESOLUTIONS, INC. (\$20,625 - Employee Benefit and Liability Insurance and Property Damage Internal Service Funds)

PUBLIC WORKS - CONSENT

26. Approval of an Encroachment Request from Slater Hanifan Group on behalf of HQ Metro, LLC, owner (northwest corner of Alta Drive and Martin L. King Boulevard) - Ward 5 (Barlow)
27. Approval of a Customer Payment Information Form (Agreement) with Embarq for the relocation of existing overhead facilities for the Neon Boneyard Park project located east of Las Vegas Boulevard at McWilliams Avenue (\$64,158 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 5 (Barlow)
28. Approval of an Amendment to an Easement Agreement with the Kern River Gas Transmission Company which will modify the language to increase the operating pressure of the pipeline located within the City of Las Vegas bounded by Cheyenne Avenue to the north, Rampart Boulevard to the east, Charleston Boulevard to the south and CC-215 Beltway to the west - Wards 2 and 4 (Wolfson and Anthony)
29. Approval of Interlocal Agreement 113734 between the City of Las Vegas and the Las Vegas Valley Water District for water services to provide irrigation for landscaping of the 1st Street Beautification project located at 1st Street between Boulder Avenue and Hoover Avenue (\$7,389 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)
30. Approval of a Facilities Relocation Agreement between the City of Las Vegas and Nevada Power Company d/b/a NV Energy for relocation of power facilities for the Charleston Bus Turn Out project located along Charleston Boulevard from Fremont Street to Nellis Boulevard (\$286,887 - Regional Transportation Commission of Southern Nevada [RTC]) - Ward 3 (Reese) and County
31. Approval of a Non Refundable Contribution in Aid of Construction Agreement with Nevada Power Company d/b/a NV Energy for the relocation of power facilities for the Charleston Bus Turnout project located along Charleston Boulevard from Fremont Street to Nellis Boulevard (\$46,868 - Regional Transportation Commission of Southern Nevada [RTC]) - Ward 3 (Reese) and County

32. Approval of a Rule 9 Line Extension Agreement between the City of Las Vegas and Nevada Power Company d/b/a NV Energy for the extension of existing power facilities to provide power for the Traffic Signal project at Pecos Road and Harris Avenue (\$6,426 - Traffic Signal Impact Fees) - Ward 3 (Reese)
33. Approval of a request to install speed humps on Dalecrest Drive between Gowan Road and Alexander Road (\$10,400 - Neighborhood Traffic Management Program) - Ward 4 (Anthony)

RESOLUTIONS - CONSENT

34. R-69-2009 - Approval of a Resolution amending Schedule 25-IV, 45 MPH Speed Limits, to add the speed limit of 45 mph on Fort Apache Road between Alexander Road and Hickam Avenue - Ward 4 (Anthony)
35. R-70-2009 - Approval of a Resolution to refund surplus amounts of \$8,836.40 in Special Improvement District (SID) 1409 - Wards 1, 3 and 5 (Tarkanian, Reese and Barlow)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

36. Hearing and possible action on a 45-day review for the vacant or abandoned buildings located at 4152 Silver Dollar Avenue Units 2, 4, 5, 7-8, 4168 Silver Dollar Avenue Units 1-4, 6-8, 4186 Silver Dollar Avenue Units 1-7. PROPERTY OWNERS: RFH LA PAZ LLC - Ward 1 (Tarkanian)
37. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building demolition located at 620 Madison Avenue in the amount of \$9,704.60 (General Fund) and assess a maximum of \$94,000 in daily civil penalties. PROPERTY OWNER: BANK DEUTSCHE NATIONAL TR CO TRS - Ward 5 (Barlow)
38. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 1212 Tumbleweed Avenue in the amount of \$1,252.10 (General Fund) and assess a maximum of \$24,500 in daily civil penalties. PROPERTY OWNER: FERNANDO & TRACY JIMENEZ - Ward 5 (Barlow)
39. Hearing to consider the appeal regarding Nuisance Notice and Order to Comply Regarding Dangerous Building property located at 3018 Ashby Avenue. PROPERTY OWNERS: SANARP TRUST – SANCHEZ HENRY W & SHIRLEY A TRS - Ward 1 (Tarkanian)

ADMINISTRATIVE - DISCUSSION

40. Discussion and possible action regarding an Exclusive Negotiation Agreement between City Parkway V, Inc., and the Cleveland Clinic Foundation to undertake due diligence to determine the feasibility of developing and operating a medical facility on parcels A2, B, J and K at Symphony Park located at 100 South Grand Central Parkway (APNs 139-33-610-027, 025 and 139-34-211-002) - Ward 5 (Barlow)

ADMINISTRATIVE SERVICES - DISCUSSION

41. Report on the proposed repository for high-level nuclear waste at Yucca Mountain from Bruce Breslow, Executive Director for the Nevada Agency for Nuclear Projects, and Irene Navis, Clark County's Nuclear Waste Planning Manager - All Wards

DETENTION & ENFORCEMENT - DISCUSSION

42. Discussion and possible action regarding an Interlocal Agreement between the Board of Regents on behalf of the College of Southern Nevada (CSN), the City of Henderson Police Department, the City of North Las Vegas Police Department and the City of Las Vegas Department of Detention and Enforcement to provide basic level category I, II and III law enforcement training - All Wards

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

43. Discussion and possible action regarding Approval of a Change of Ownership for a Beer/Wine/Cooler On-sale License, From: Victor Aranda, To: Juan Manuel Moreno Lepe, dba El Chamizal, 1054 North Rancho Drive, Juan Manuel Moreno Lepe, Owner, 100% - Ward 5 (Barlow)
44. Discussion and possible action regarding a Six Month Review of a Temporary Package License, Ramzi Suliman, dba Super Azteca II, 3140 South Valley View Boulevard, Suite 3, Ramzi Suliman, Owner, 100% - Ward 1 (Tarkanian)
45. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Work Card Denial for Gina Mourning, db at Buy Low Market 4, 1061 West Owens Avenue - Ward 5 (Barlow)

RESOLUTIONS - DISCUSSION

46. R-71-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Necal Associates, LLC, (Owner) located at 1112 South Casino Center Boulevard (APN 162-03-110-072) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese)
[NOTE: This item is related to RDA Item 5 (RA-16-2009)]

BOARDS & COMMISSIONS - DISCUSSION

47. ABEYANCE ITEM - CIVIL SERVICE BOARD OF TRUSTEES – Johan Aliseo – Term Expiration 9-19-2009
48. DEPARTMENT OF TRANSPORTATION REGIONAL ADVISORY COMMITTEE – Jorge Cervantes – Term Expiration 10-3-2009

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

49. Bill No. 2009-38 - Ordinance Creating Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) Sponsored by: Step Requirement

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

NEW BILLS - DISCUSSION

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

50. Bill No. 2009-39 - Authorizes the issuance of General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009 in an aggregate principal amount not to exceed \$15,000,000. Proposed by Mark R. Vincent, Director of Finance and Business Services
51. Bill No. 2009-40 - Prohibits the parking of a mobile billboard within five hundred feet of a single-family dwelling. Sponsored by: Councilman Gary Reese

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

PLANNING & DEVELOPMENT

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

PLANNING & DEVELOPMENT - CONSENT

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

53. EOT-35350 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time for a previously approved Variance (VAR-19666) TO ALLOW 158 PARKING SPACES WHERE 394 IS THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT AND SOCIAL SERVICE PROVIDER on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
54. EOT-35351 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time of a previously approved Variance (VAR-19665) TO ALLOW A TEN FOOT SETBACK FROM A PRIMARY ARTERIAL STREET WHERE 44 FEET IS THE MINIMUM SETBACK REQUIRED; TO ALLOW A FRONT YARD SETBACK OF TEN FEET WHERE 20 FEET IS REQUIRED AND A SIDE YARD SETBACK OF 8.5 FEET WHERE 10 FEET IS REQUIRED; TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 66.42 FEET TO THE FOURTH FLOOR WHERE 127.5 FEET IS THE MINIMUM SETBACK REQUIRED ON THE NORTH SIDE OF THE PROPERTY FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
55. EOT-35349 - EXTENSION OF TIME - WAIVER - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time of a previously approved Waiver (WVR-19668) of Title 18.12.130 TO ALLOW ENCANTO DRIVE TO CONTINUE TO END IN A DEAD END STREET WHERE A CUL-DE-SAC IS REQUIRED at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
56. EOT-35352 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time for a previously approved Special Use Permit (SUP-19661) FOR A PROPOSED EXPANSION OF A SINGLE ROOM OCCUPANCY RESIDENCE at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
57. EOT-35492 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: USVI - OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-20052) FOR A PROPOSED SOCIAL SERVICE PROVIDER at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

58. EOT-35353 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-19659) FOR A PROPOSED EXPANSION OF AN EXISTING MULTI-FAMILY RESIDENTIAL/SINGLE ROOM OCCUPANCY ESTABLISHMENT on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive (APNs 139-27-805-003 and 139-27-812-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
59. EOT-35440 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: CENTENNIAL GATEWAY, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-2214) FOR A SUPPER CLUB adjacent to the west side of Centennial Center Boulevard, approximately 660 feet north of Ann Road (APN 125-27-411-013), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL
60. EOT-35441 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: CENTENNIAL GATEWAY, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-2215) FOR A SUPPER CLUB adjacent to the east side of Centennial Center Boulevard, approximately 860 feet north of Ann Road (APN 125-27-411-013), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL
61. EOT-35442 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: CENTENNIAL GATEWAY, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-2216) FOR A SUPPER CLUB adjacent to the west side of Centennial Center Boulevard, approximately 775 feet north of Ann Road (APN 125-27-411-013), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE

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

62. DIR-35264 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Required review of an annual development report as required by Section 11.01 of the Howard Hughes Properties, Limited Partnership for the Summerlin West Area generally located west of the I-215 Beltway and north of Charleston Boulevard (APN multiple), Ward 2 (Wolfson). Staff recommends APPROVAL
63. EOT-34971 - EXTENSION OF TIME - NON-PUBLIC HEARING - VARIANCE - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC - Request an Extension of Time of an approved Variance (VAR-22723) TO ALLOW A WALL TO CONTAIN NO CONTRASTING MATERIAL WHERE TWENTY PERCENT CONTRASTING MATERIAL IS REQUIRED on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL
64. EOT-34972 - EXTENSION OF TIME - SITE DEVELOPMENT REVIEW - NON-PUBLIC HEARING - APPLICANT: AHERN RENTALS - OWNER: DFA, LLC - Request for an Extension of Time of an approved Major Amendment (SDR-22206) of an approved Site Development Plan Review (SDR-13833) FOR A COMMERCIAL DEVELOPMENT OF 30,000 SQUARE FEET OF HARDWARE STORE, 30,000 SQUARE FEET OF OFFICE SPACE, 40,000 SQUARE FEET OF COVERED STORAGE AREA, AND 60,000 SQUARE FEET OF AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A 10-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG SOUTH PROPERTY LINE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence-Estates) Zone, R-3 (Medium Density Residential) Zone and C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL
65. DIR-35626 - WATER FEATURE EXEMPTION - NON-PUBLIC HEARING - APPLICANT/OWNER: CORTA BELLA COMMUNITY ASSOCIATION - Request TO ALLOW THE OPERATION OF A 205 SQUARE-FOOT WATER FEATURE AT THE ENTRANCE OF 1900 Corta Bella Lane (APN 138-20-218-011), P-C (Planned Community) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

66. RQR-34682 - ABEYANCE ITEM - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: BRIGHT PATH, LLC - Request for Required Review of a previously approved Special Use Permit (SUP-4521) FOR A 40-FOOT BY 48- FOOT OFF-PREMISE SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
67. RQR-34844 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CBS OUTDOOR - OWNER: WMC III ASSOCIATES, LLC - Required Review of an approved Rezoning (Z-0100-97) WHICH ALLOWED AN EXISTING 80-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL
68. SUP-35049 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA - Request for a Special Use Permit FOR A PROPOSED 1,820 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR at 1752 East Charleston Boulevard (APN 162-02-510-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
69. VAC-35041 - VACATION - PUBLIC HEARING - APPLICANT: JHR ASSOCIATES - OWNER: REBEL OIL COMPANY INC. - Petition to Vacate a 10-foot wide public sewer easement located on the east side of Pecos Road approximately 140 feet south of Washington Avenue, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
70. SUP-35521 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC - OWNER: RAMPART COMMONS, LTD., LLC - Request for a Major Amendment to an approved Special Use Permit (SUP-5947) FOR A 1,100 SQUARE-FOOT ADDITION TO AN EXISTING LIQUOR ESTABLISHMENT (ON AND OFF-PREMISE SALE OF BEER AND WINE) at 1031 South Rampart Boulevard (APN 138-32-411-003), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

71. VAR-32640 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 146 ARE REQUIRED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
72. VAR-33015 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-32640 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW A 10-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 132 FEET AND TO ALLOW A LOT COVERAGE OF 82% WHERE 50% IS THE MAXIMUM PERMITTED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
73. SUP-32639 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-32640 AND VAR-33015 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Special Use Permit FOR A PROPOSED SENIOR CITIZEN APARTMENT COMPLEX WITH A WAIVER TO ALLOW APARTMENTS ON THE GROUND FLOOR WHERE NONE ARE PERMITTED adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

74. SDR-32638 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-32640, VAR-33015, AND SUP-32639 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 44-FOOT TALL, 151-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH 5,460 SQUARE FEET OF COMMERCIAL SPACE on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
75. VAR-34008 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
76. SUP-34006 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-34008 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
77. SDR-34010 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34008 AND SUP-34006 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
78. SUP-34016 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: LXT4, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) approximately 560 feet north of Meadows Lane and approximately 530 feet east of Decatur Boulevard (APN 139-31-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
79. ROC-35306 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT: HARMONY 2 LLC - OWNERS: HARMONY 2 LLC AND FARM HUALAPAI LLC - Request for a Review of Condition to change Condition Number 6 of a previously approved Site Development Plan Review (SDR-29026) TO ALLOW A SIDE YARD SETBACK OF THREE FEET WHERE 5 FEET IS THE MINIMUM REQUIRED FOR ALL LOTS OF A 70-LOT RESIDENTIAL SUBDIVISION WITH THE EXCEPTION OF 5, 9, 13, 16, 18, 19, 20, 23, 24, 25, 28, 29, 30, 35, 58, AND 60 on 10.52 acres on the east side of Tonkinese Avenue and Hualapai Way (APNs 126-13-612-001 through 068), R-PD7 (Residential Planned Development- 7 Units per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL
80. GPA-34597 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: C (COMMERCIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 1.45 acres at 2701 Westwood Drive (APN 162-09-102-002), Ward 1 (Tarkanian). The Planning Commission (5-2 vote) and staff recommend APPROVAL
81. SUP-34598 - SPECIAL USE PERMIT RELATED TO GPA-34597 - PUBLIC HEARING - APPLICANT: DR. ARTHUR WEATHERS - OWNER: 2701 WESTWOOD, LLC - Request for a Special Use Permit FOR A PROPOSED 23,390 SQUARE-FOOT, 100-INMATE CUSTODIAL INSTITUTION WITH ACCESSORY DOG KENNELS FOR TRAINING at 2701 Westwood Drive (APN 162-09-102-002), M (Industrial) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION HAS BEEN AMENDED FOR A PROPOSED 22,790 SQUARE-FOOT, 120-INMATE CUSTODIAL INSTITUTION. The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

82. ROC-35500 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: CECILE PROPERTIES - Request for a Review of Condition Number 5 of a previously approved Special Use Permit (SUP-27082) TO CHANGE THE PARKING LAYOUT FOR THE APPROVED SECONDHAND DEALER at 420 East Sahara Avenue (APN 162-03-416-022), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
83. RQR-34160 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CECILE PROPERTIES, LLC - Required Review of a previously approved Special Use Permit (SUP-27082) FOR A SECONDHAND DEALER at 420 East Sahara Avenue (APN 162-03-416-022), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0-2 vote) recommends APPROVAL
84. RQR-35347 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARIO PENA PENA - Required Review of a previously approved Special Use Permit (SUP-31367) FOR AN AUTO REPAIR GARAGE, MINOR WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL
85. SUP-34859 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED TAVERN WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 20 FEET WHERE 1,500 FEET IS REQUIRED FROM A SIMILAR USE at 2233 Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
86. SDR-34469 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-4551) FOR THE ADDITION OF VEHICLE DISPLAY PARKING SPACES; PARKING LOT SHADE STRUCTURES; FACADE RENOVATIONS; AND TWO PORTE COCHERES ADJACENT TO THE SOUTH AND EAST SIDES OF THE BUILDING AT AN EXISTING MOTOR VEHICLE SALES (NEW) FACILITY on 4.01 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones, Ward 1 (Tarkanian). The Planning Commission (4-3 vote) and staff recommend APPROVAL
87. SDR-35202 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR AN EXISTING 67-SPACE PARKING LOT AND A PROPOSED 96-SPACE PARKING LOT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW BUFFERS OF ZERO FEET ALONG THE WEST PERIMETER AND A PORTION OF THE SOUTH PERIMETER WHERE 15 FEET AND EIGHT FEET, RESPECTIVELY, ARE REQUIRED on a portion of 6.59 acres at 1510 North Decatur Boulevard (APN 139-30-101-001), C-V (Civic) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) and staff recommend APPROVAL

SET DATE

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

CITIZENS PARTICIPATION

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

COUNCIL MEMBER PARTICIPATION

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

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

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

EXHIBIT B

(Attach Copy of Notice of October 7, 2009 Meeting)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

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

COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

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

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

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

October 7, 2009

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

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

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

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

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

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – REVEREND MARY BREDLAU, GRACE IN THE DESERT EPISCOPAL CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE OCTOBER CITIZENS OF THE MONTH
6. RECOGNITION OF KCLV CHANNEL 2 AND THE CITY OF LAS VEGAS' FIRST EMMY AWARD
7. RECOGNITION OF COMMUNITY PLANNING MONTH
8. RECOGNITION OF THE WESTERN PLANNER ASSOCIATION'S PLANNER OF THE YEAR, TOM PERRIGO
9. PRESENTATION OF THE NEVADA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS' DISTINGUISHED SERVICE AWARD FOR SUSTAINABLE PRACTICES

BUSINESS ITEMS - MORNING

10. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
11. Approval of the Final Minutes by reference of the regular City Council meeting of September 2, 2009

CONSENT AGENDA

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

ADMINISTRATIVE - CONSENT

12. Approval of Restated and Amended License Agreement for Construction and Agreement to Grant Easements between City Parkway V, Inc., and N.W.H. II LTD. generally located within the Las Vegas Technology Center at Tenaya Way and Cheyenne Avenue (APNs 138-15-612-012 and 138-15-612-013) - Ward 1 (Tarkanian)
13. Approval of the Interlocal Agreement between the disparate jurisdictions of the City of Las Vegas, as fiscal agent, the cities of Henderson, North Las Vegas, Mesquite and Clark County as required by the American Recovery and Reinvestment Act (ARRA) Department of Justice/Bureau of Justice Assistance/Byrne Justice Assistance Grant Local Solicitation grant award totaling \$7,558,206 - All Wards
14. Approval of the Interlocal Agreement between the City of Las Vegas, as fiscal agent, and the Las Vegas Metropolitan Police Department as a sub-grantee, as required by the American Recovery and Reinvestment Act (ARRA) Department of Justice/Bureau of Justice Assistance Byrne Justice Assistance Grant Local Solicitation for a formulaic four-year stimulus grant for a total of \$7,558,206 to fund justice related programs with \$1,400,000 dedicated to the Las Vegas Metropolitan Police Department - All Wards
15. Approval to accept a \$400,000 award from the U.S. Department of Justice, Office of Justice Programs, for the City of Las Vegas Copper Wire Theft Prevention Project – All Wards

FIELD OPERATIONS - CONSENT

16. Approval of a Second Amendment to License Agreement between the City of Las Vegas and Nextel of California, Inc., for the wireless communications equipment located at 333 North Rancho Drive, known as the Atrium Tower - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

18. Approval of a Special Event Alcoholic Beverage License for German - American Social Club of Nevada, Location: Historic 5th Street School, 401 South Forth Street, Date: October 17, 2009, Type: Special Event General, Event: Oktoberfest, Responsible Person in Charge: Eugene Gries - Ward 3 (Reese)
19. Approval of a Special Event Alcoholic Beverage License for Prom Management Group, Inc., Location: TPC Summerlin, 1700 Village Center Circle, Dates: October 12 - 18, 2009, Type: Special Event General, Event: Justin Timberlake Shriener's Open, Responsible Person in Charge: Todd Hanson - Ward 2 (Wolfson)
20. Approval of a Change of Business Name for a Beer/Wine/Cooler Off-sale and a Restricted Gaming License, 7-Eleven of Nevada, Inc., dba From: 7-Eleven Store #32826B, To: 7-Eleven Store #32826C, 920 North Buffalo Drive, Martin Kennedy, Pres, Kimberly Reilley, Vice Pres, Secy, and Harvinder S. Gill, Franchise Mgr - Ward 1 (Tarkanian)

21. Approval of a Change of Business Name, Change of Location, and Change of Ownership for a Tavern License and a new Restricted Gaming License, From: Gaggy, Inc., dba Gino's II (non-operational), Gene H. Gagliardi, Pres, Secy, Treas, 100%, To: Doc's Place, LLC, dba Doc's Place, 2202 Paradise Road, Glenn E. Hill, Mgr, 50% and James L. Hill, Mgr, 50% - Ward 3 (Reese)
22. Approval of a new Liquor Caterer License subject to the provisions of the planning and fire codes, TCB Las Vegas, LLC, dba Feelgoods, 6750 West Sahara Avenue, Daniel N. Koker II, Mgr, 100% - Ward 1 (Tarkanian)
23. Approval of a Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at 7 Eleven Store #22939D, 1624 South Decatur Boulevard, Participant, Rupinderjit S. Sangha, Franchise Mgr - Ward 1 (Tarkanian)
24. Approval of a Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at 7 Eleven Store #27111, 6070 West Sahara Avenue, Participant, Fast & Easy, Inc., Noorullah Karimzada, Franchise Mgr - Ward 1 (Tarkanian)
25. Approval of a Change of Location for an Auctioneer License subject to the provisions of the planning and fire codes, Gregory Harelson, dba Auction One Las Vegas, From: 6600 West Charleston Boulevard, Suite 111, To: 7472 West Sahara Avenue, Suite 102 C, Gregory Harelson, Auctioneer, 100% - Ward 1 (Tarkanian)
26. Approval of a new Massage Establishment License, Greenawalt Chiropractic, dba Greenawalt Chiropractic, 7500 West Sahara Avenue, Ronald Greenawalt, Owner, 100% - Ward 1 (Tarkanian) [NOTE: This is an ancillary license to an existing chiropractic business – Greenawalt Chiropractic]
27. Approval of a new Massage Establishment License, J Mitchell Enterprises, LLC, dba The Loft a Studio for Hair & Body, 8689 West Charleston Boulevard, Suite 111, Victoria Bayliff, Mgr, 50% and Donald Bayliff, Mgr, 50% - Ward 2 (Wolfson) [NOTE: This is an ancillary license to an existing beauty salon – The Loft a Studio for Hair & Body]
28. Approval of a Change of Location for a Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, Buy / Rite Appliances, From: 3400 West Desert Inn Road, Suite 14, To: 3400 West Desert Inn Road, Suite 9 & 45, Craig Horner, Owner, 100% - Ward 1 (Tarkanian)
29. Approval of a new Class III-A Secondhand Dealer License, Leon B. Hacker, dba Stewart Check Cashing, 4399 Stewart Avenue, Suite 150, Leon Hacker, Owner, 100% - Ward 3 (Reese)
30. Approval of a Change of Business Name and Change of Ownership for a Tavern License subject to the provisions of the fire code and Health Dept. regulations, From: Bar-Kel Corporation, dba Fast Break Lounge, To: Fastbreak Lounge, LLC, dba Fastbreak Lounge, 2245 North Decatur Boulevard, Suite A, Benjamin J. Brown, Mgr, 50% and Barry J. Kronsberg, Mgr, 50% - Ward 5 (Barlow)
31. Approval of a Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Fastbreak Lounge, LLC, dba Fastbreak Lounge, 2245 North Decatur Boulevard, Suite A, Benjamin J. Brown, Mgr, 50% and Barry J. Kronsberg, Mgr, 50% - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

32. Approval of award of Agreement No. 100041-DC, Material Testing Special Inspection Services for Pavilion Pool Cover located at 101 South Pavilion Center Drive - Department of Public Works - Award recommended to: NINYO & MOORE (\$79,900 - Parks and Leisure Activities Capital Projects Fund) - Ward 2 (Wolfson)
33. Approval of Modification No. 1 to Bid No. 09.1730.29-LED, Las Vegas Wash Trail, Phase 1, Owens Avenue to Stewart Avenue and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: WILLIAMS BROTHER, INC. (\$450,000 - Parks and Leisure Activities Capital Projects Fund) - Ward 3 (Reese)
34. Approval of award of Modification No. 3 to Task Order Contract No. 080053-TB, Oracle Business Intelligence Pilot - Department of Information Technologies - Award recommended to: INNOWAVE TECHNOLOGY, LLC (\$205,000 - Computer Services Internal Service Fund) - All Wards

35. Approval of award of Modification No. 4 to Contract No. 050051-DK, Software, Support, Training and Professional Services - Department of Human Resources - Award recommended to: AON ESOLUTIONS, INC. (\$20,625 - Employee Benefit and Liability Insurance and Property Damage Internal Service Funds) - All Wards
36. Approval of authorization to use the Western States Contracting Alliance (WSCA) Master Price Agreement No. B27160 for Dell Computer Equipment, Peripheral Devices and Related Services - Department of Information Technologies - Award recommended to: DELL MARKETING L.P. (\$2,500,000 - Computer Services Internal Service Fund) - All Wards
37. Approval of award of Agreement No. 100065-DC, Prime Design Services Agreement for Tropical Durango Park located at the northwest corner of Tropical Parkway and Durango Drive - Department of Public Works - Award recommended to: STANLEY CONSULTANTS, INC. (\$222,718 - Parks and Leisure Activities Capital Projects Fund) - Ward 6 (Ross)
38. Approval of Modification No. 1 to Contract 06.1762.01-LED, Annual Requirements Contract for Concrete Replacement and Asphalt Patching – Department of Field Operations – Award recommended to: MIKON CONSTRUCTION COMPANY, INC. (\$500,000 – Street Maintenance Special Revenue Fund) – All Wards
39. Approval of Modification No. 1 to Contract 09.1762.01-TRF, Annual Slurry Seal Contract – Department of Field Operations – Award recommended to: AMERICAN ASPHALT AND GRADING COMPANY (\$400,000 – Street Maintenance Special Revenue Fund) – All Wards
40. Approval of Modification No. 2 to Ordering Agreement No. 070411-DK for Soil Remediation Services in connection with the Symphony Park site improvements, bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line – City Parkway V, Inc. – Award recommended to: LAS VEGAS PAVING CORPORATION (\$2,900,000 – General Capital Projects Fund) – Ward 5 (Barlow)
41. Approval of revision to Purchase Order No. 248409 for Soil Transportation and Stockpile Management Services in connection with the Symphony Park site improvements, bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line – City Parkway V, Inc. – Award recommended to: LAS VEGAS PAVING CORPORATION (\$400,000 – General Capital Projects Fund) – Ward 5 (Barlow)
42. Approval of award of Modification No. 2 to Contract No. 080165-DK for Oracle Payroll Enhanced Retro Pay Process Consulting Services - Department of Information Technologies - Award recommended to: ORASYS LLC (\$114,400 - Computer Services Internal Service Fund) - All Wards

HUMAN RESOURCES - CONSENT

43. Approval to contract with Health Plan of Nevada for Health Maintenance Organization (HMO) services (\$2,625,000 – Self-insurance Internal Service Fund)
44. Approval to extend the contract with Sierra Health and Life (SHL) for a fully-insured Preferred Provider Organization medical plan (\$1,200,000 – Self-insurance Internal Service Fund)
45. Approval to extend the contract with Mines & Associates for an Employee Assistance Program (\$33,343 – Self-insurance Internal Service Fund)

LEISURE SERVICES - CONSENT

46. Approval of State of Nevada Division for Aging Services Administration on Aging (AOA) Title IIIB grant monies to the Senior Citizens Law Project (SCLP) for providing legal services to rural senior citizens 60 years of age and older throughout Clark County (\$72,844 Grant Revenue - Special Revenue Fund - Match Amount \$12,856) - All Wards
47. Approval of State of Nevada Division for Aging Services Independent Living Grant (ILG) monies to the Senior Citizens Law Project (SCLP) for providing legal services to senior citizens 60 years of age and older throughout Clark County in the area of Legal Guardianships (\$45,000 Grant Revenue - Special Revenue Fund - Match Amount \$6,750) - All Wards

NEIGHBORHOOD SERVICES - CONSENT

48. Approval to allocate \$1,000,000 in Redevelopment 18% Set-Aside (RDA) funds for the Homeownership For Educators Program providing mortgage buy down and rental assistance for teachers with the Clark County School District - All Wards

PUBLIC WORKS - CONSENT

49. Approval of an Encroachment Request from Cardno WRG on behalf of the Consulate of Mexico, owner (northeast corner of Hoover Avenue and 6th Street) - Ward 3 (Reese)
50. Approval of an Encroachment Request from The Richardson Partnership, Incorporated, on behalf of BBH, LLC, owner (Western Avenue between Oakey Boulevard and Sahara Avenue) - Ward 3 (Reese)
51. Approval of an Encroachment Request from Studio West on behalf of Corestone, LLC, owner (northwest corner of Charleston Boulevard and Casino Center Boulevard) - Ward 3 (Reese)
52. Approval to Appraise and Purchase or Condemn right-of-way parcels located at the intersection of Sahara Avenue and Durango Drive for the Traffic Package 7A project (\$25,000 Regional Transportation Commission [RTC]) - Ward 2 (Wolfson)
53. Approval for a Grant of Easement from the City of Las Vegas to NV Energy for a portion of the Northwest Quarter of the Northwest Quarter of Section 27, Township 20 South, Range 60 East, Mount Diablo Meridian, located within the Buffalo Drainage Channel, south of Vegas Drive and west of Pioneer Way, APN 138-27-196-001 - Ward 1 (Tarkanian)
54. Approval of a Grant of Easement from the City of Las Vegas, a Municipal Corporation, to FC Vegas 39 L.L.C., a New York limited liability company as to an undivided 39.775% interest; FC Vegas 20 L.L.C., a Nevada limited liability company as to an undivided 20.225%; Livework L.L.C., a Delaware limited liability company as to an undivided 40% interest, all as tenants in common for a portion of the Northwest Quarter of Section 34, Township 20 South, Range 61 East, Mount Diablo Meridian, for an easement located in the right-of-way, from the back of curb to the property line, that surrounds Block 6 of Clark's Las Vegas Townsite (Main Street on the west, Lewis Avenue on the north, 1st Street on the east and Clark Avenue on the south) - APNs 139-34-299-002, 009, 010, 012, 025, 026, 027, 028 and 029 - Ward 3 (Reese)
55. Approval to file a short term grant with the Bureau of Land Management for temporary construction (temporary Earthen Scarp) lying within a portion of the Southwest Quarter of the Northwest Quarter of Section 28, Township 19 South, Range 60 East, Mount Diablo Meridian, generally located east of Durango Drive and north of Tropical Parkway, APN 125-28-201-006 - Ward 6 (Ross)
56. Approval of a Quitclaim Deed from the City of Las Vegas to the City of North Las Vegas for portions of the Southwest Quarter of the Southeast Quarter of Section 16, Township 20 South, Range 61 East, Mount Diablo Meridian, City of North Las Vegas, Clark County, Nevada, with regard to the Martin Luther King Boulevard Improvement project, APNs 139-16-899-018 and 019 - City of North Las Vegas - (near Ward 5 - Barlow)
57. Approval of a Dedication from the City of Las Vegas for a portion of the Southeast Quarter of Section 29, Township 20 South, Range 62 East, Mount Diablo Meridian, for drainage right-of-way located on the north side of Bonanza Road, east of Marion Drive (Las Vegas Wash), APN 140-29-801-002, 005 and 140-29-896-001, 002 - Ward 3 (Reese)
58. Approval of an Interlocal Contract with Clark County Water Reclamation District for sewer services with R. Lucero and Associates, Inc., on behalf of Josephs Family, LP, owner, located on the east side of Sheridan Street between Meade Avenue and Sirius Avenue, APN 162-08-303-019 - Ward 1 (Tarkanian)
59. Approval of Interlocal Contract LLD99A09 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for the construction of local drainage improvements for Gilmore Avenue from Decatur Boulevard to Thom Boulevard (\$839,900 - CCRFCD/\$79,630 - Public Works Capital Projects Fund) - Ward 6 (Ross)
60. Approval of Interlocal Contract LAS22O09 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the North and South Environmental Enhancement Areas at Floyd Lamb Park located at 9200 Tule Springs Road and drainage improvements within Racel Street from Cimarron Road to El Capitan Way (\$30,550,000 - CCRFCD) - Ward 6 (Ross)
61. Approval of Supplemental Interlocal Contract 470b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding in the amount of \$2,000,000 for roadway improvements on Summerlin Parkway between CC-215 and US-95 - Wards 1, 2 and 4 (Tarkanian, Wolfson and Anthony)

62. Approval of Supplemental Interlocal Contract 475d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for roadway improvements on Martin L. King Boulevard from Palomino Lane to Carey Avenue (\$2,000,000 - RTC) - Ward 5 (Barlow)
63. Approval of Supplemental Interlocal Contract 543c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for the Las Vegas Boulevard, Owens Avenue to I-515 Corridor Study (\$2,000 - RTC) - Ward 5 (Barlow)
64. Approval of Supplemental Interlocal Contract 535c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for roadway improvements on the Martin L. King Boulevard - Industrial Road from Wyoming Avenue to Symphony Park Avenue project (\$5,000,000-RTC) - Wards 1, 3, and 5 (Tarkanian, Reese and Barlow)
65. Approval of Supplemental Interlocal Contract 577c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for roadway improvements on Vegas Drive between Rancho Drive and Michael Way (\$3,000 - RTC) - Ward 5 (Barlow)
66. Approval of Supplemental Interlocal Contract 461f between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada (RTC) to include improvements on Alexander Road, Durango Drive to US-95 in the ITS Communication Infrastructure project - Ward 4 (Anthony) and County
67. Approval of Supplemental Interlocal Contract 581b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to decrease project funding in the amount of \$20,000 for the I-15/Owens Avenue Interchange Study - Ward 5 (Barlow)
68. Approval of Supplemental Interlocal Contract 548c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase project funding for improvements associated with the installation of bus turnouts for the Citizen Area Transit bus route on Lamb Boulevard and Pecos Road (\$20,000 - RTC) - Ward 3 (Reese)
69. Approval of a Non Refundable Contribution in Aid of Construction Agreement between the City of Las Vegas and Nevada Energy for the relocation of power facilities for the Oakey Meadows Storm Drain located in Hinson Street from Charleston Boulevard north to Fulton Place and east to Valley View Boulevard, north to Alta Drive and east/northeast into the Meadows Detention Basin at the Springs Preserve (\$39,168 - Regional Transportation Commission [RTC]) - Ward 1 (Tarkanian)
70. Approval of the Nevada Safe Routes to School Program Subrecipient's Agreement for noninfrastructure activities between the City of Las Vegas and the Nevada Department of Transportation for funding of a Safe Routes to School Program for primary and middle school children (\$33,826 - Federal Highway Administration Office of Safety Funds) - All Wards

RESOLUTIONS - CONSENT

71. R-72-2009 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and in certain other districts and providing other matters properly relating thereto - All Wards
72. R-73-2009 - Approval of a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Summerlin Special Improvement Districts and in certain other districts and providing other matters properly relating thereto - All Wards
73. R-74-2009 - Approval of a Resolution regarding the Cooperative Grant Agreement (Agreement) between the City of Las Vegas (City) and Nevada Development Authority, Inc., (NDA) to administer a five-year grant to ensure that Telus International (U.S.) Corp. (TELUS), a new company expanding in Las Vegas, achieves certain performance objectives (\$1,500,000 – Industrial Revenue Fund) - All Wards

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

74. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building demolition located at 4617 Spring Creek Avenue in the amount of \$4,651 (General Fund) and assess a maximum of \$88,700 in daily civil penalties. PROPERTY OWNER: DOLORESA M. RENKIEWICZ - Ward 3 (Reese)
75. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 1921 Sunland Avenue in the amount of \$1,796.75 (General Fund) and assess a maximum of \$29,850 in daily civil penalties. PROPERTY OWNER: CITIMORTGAGE INC – C/O REO DEPT – C/O CR TITLE SERV - Ward 5 (Barlow)
76. Hearing Review for the vacant or abandoned buildings located at 901 West McWilliams Avenue Units 101-104, 106, 201-202, 205-206, 301-306, 401-406, 501-505, 601-606, 701-702, 704-706, 801-803, 806, 808-810, 902-904, 906-907, 1001 West McWilliams Avenue, 840 West Bonanza Road and 920 West Bonanza Road. PROPERTY OWNER: LAS VEGAS APARTMENT LENDERS LLC - Ward 5 (Barlow)
77. Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1701 South Las Vegas Boulevard. PROPERTY OWNER: WIENS MAYNARD J JR ETAL - Ward 3 (Reese)

ADMINISTRATIVE - DISCUSSION

78. Report on the development status and financing status of the City Hall project, which is proposed to be constructed on real property bounded by Lewis Avenue, Clark Avenue, Main Street and First Street (APNs 139-34-210-007 through -013 inclusive and APNs 139-34-210-019 through -023 inclusive) – Ward 3 (Reese)

ADMINISTRATIVE SERVICES - DISCUSSION

79. Report and possible action on the status of the 2011 Federal Legislative Action Plan and municipal issues at the 111th United States Congress - All Wards

FINANCE & BUSINESS SERVICES - ADMINISTRATION DISCUSSION

80. Report on Purchasing and Contracts Bid Processes

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

81. Discussion and possible action regarding a Review of a Temporary Restricted Gaming License, Wash N Fun Laundromat, LLC, dba Wash N Fun Laundromat, 4425 Stewart Avenue, Suite 101, Sanford K. Feld, Mgr Mmbr, 100% - Ward 3 (Reese)
82. Discussion and possible action regarding a Change of Business Name and a Change of Ownership for a Pawn Broker License, a Class II Secondhand Dealer License, and a Pistol Permit subject to the provisions of the fire codes, From: Park One Properties, LLC, dba Sahara Pawn, To: Max Pawn, LLC, dba Max Pawn, 2400 South Jones Boulevard, Suite 15, Michael L. Mack, Mgr, 100% - Ward 1 (Tarkanian)
83. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Temporary Package License, Ramzi Suliman, dba Super Azteca II, 3140 South Valley View Boulevard, Suite 3, Ramzi Suliman, Owner, 100% - Ward 1 (Tarkanian)
84. Discussion and possible action regarding a new Locksmith License, Speedy Locksmith & Key, Inc., dba Able Lock & Key, 1913 East Charleston Boulevard, Sonia I. Osbourne, Pres, Secy, Treas, 100% - Ward 3 (Reese)

PUBLIC WORKS - DISCUSSION

85. Report on Project Neon, a freeway improvement project that will address short and long term transportations needs for the I-15 corridor from Sahara Avenue to the Spaghetti Bowl interchange, presented by John Taylor, Project Manager with CH2MHill - All Wards

RESOLUTIONS - DISCUSSION

86. R-75-2009 - Discussion and possible action regarding a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Hennessey's Las Vegas, Inc., d/b/a Las Vegas Country Saloon (Participant) located at 425 Fremont Street (APN 139-34-610-045) to be in compliance with and in furtherance of the goals and objectives of the RDA - Ward 3 (Reese) [NOTE: This item is related to Redevelopment Agency Item 5 (RA-17-2009)]

BOARDS & COMMISSIONS - DISCUSSION

87. Discussion and possible action regarding amendments to the by-laws of the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board
88. Appointment and Reappointment of Members to the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board
89. Appointment of Members to the Community Development Recommending Board

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

90. Bill No. 2009-39 - Authorizes the issuance of General Obligation (Limited Tax) Medium-Term Bonds (Main Street Parking Garage), Series 2009 in an aggregate principal amount not to exceed \$15,000,000. Proposed by Mark R. Vincent, Director of Finance and Business Services

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

91. Bill No. 2009-40 - Prohibits the parking of a mobile billboard within five hundred feet of a single-family dwelling. Sponsored by: Councilman Gary Reese

NEW BILLS - DISCUSSION

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

92. Bill No. Z-2009-2 – Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land. Proposed by: M. Margo Wheeler, Director of Planning and Development
93. Bill No. 2009-41 – Revises the hillside development standards and guidelines to reflect their applicability to nonresidential development. (TXT-34891) Sponsored by: Councilman Stavros S. Anthony
94. Bill No. 2009-42 – Amends the Downtown Centennial Plan to allow certain alcohol-related uses within the Parkway Center District by means of special use permit. (TXT-34880) Sponsored by: Mayor Oscar B. Goodman
95. Bill No. 2009-43 – Temporarily allows the sale of used motor vehicles in Town Center without the requirement that the use be incidental to new vehicle sales. (TXT-34717) Sponsored by: Councilman Steven D. Ross

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

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

PLANNING & DEVELOPMENT

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

PLANNING & DEVELOPMENT - CONSENT

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

97. EOT-35550 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: H.R. HERITAGE VILLAGE, LLC - Request for an Extension of Time of a previously approved Variance (VAR-22675) TO ALLOW A 22-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 75 FEET IS REQUIRED FOR A PROPOSED TWO-STORY, 32-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 1.97 acres on the south side of Owens Avenue, approximately 570 feet west of Nellis Boulevard (APN 140-29-510-017 and 140-29-510-018), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL
98. EOT-35548 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: H.R. HERITAGE VILLAGE, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-22674) FOR A PROPOSED TWO-STORY, 32-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 1.97 acres on the south side of Owens Avenue, approximately 570 feet west of Nellis Boulevard (APN 140-29-510-017 and 140-29-510-018), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL
99. EOT-35610 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: O.R. INVESTMENT GROUP, LLC - Request for an Extension of Time of a previously approved Variance (VAR-6952) TO ALLOW A ZERO FOOT STEPBACK RATIO WHERE A 1:1 STEPBACK RATIO IS REQUIRED ALONG A COLLECTOR OR LARGER STREET FOR A 197-FOOT TALL BUILDING on 5.48 acres located adjacent to the west side of Rancho Drive, approximately 190 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
100. EOT-35611 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: O.R. INVESTMENT GROUP, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-6947) FOR A 197-FOOT TALL BUILDING WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE AIRPORT OVERLAY ZONE on 5.48 acres located adjacent to the west side of Rancho Drive, approximately 190 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
101. EOT-35612 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: O.R. INVESTMENT GROUP, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-6948) FOR A MIXED USE DEVELOPMENT on 5.48 acres located adjacent to the west side of Rancho Drive, approximately 190 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial), Ward 5 (Barlow). Staff recommends APPROVAL

102. EOT-35613 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: O.R. INVESTMENT GROUP, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-6946) FOR A MIXED USE DEVELOPMENT INCLUDING TWO 16-STORY TOWERS WITH A TOTAL OF 300 RESIDENTIAL UNITS AND 12,548 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS OF THE RESIDENTIAL ADJACENCY STANDARDS AND PERIMETER LANDSCAPING REQUIREMENTS on 5.48 acres adjacent to the west side of Rancho Drive, approximately 190 feet south of Lake Mead Boulevard (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
103. EOT-35680 - EXTENSION OF TIME - WAIVER - APPLICANT: WAGNER HOMES - OWNER: DAY STAR VENTURES - Request an Extension of Time of a previously approved Waiver (WVR-22255) of Title 18.12.160 TO ALLOW 210 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.35 acres adjacent to the northeast corner of Hualapai Way and Haley Avenue (APNs 125-19-201-001 and 003), U (Undeveloped Zone [R (Rural Density Residential) General Plan Designation] under a Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Ross). Staff recommends APPROVAL
104. EOT-35681 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: WAGNER HOMES - OWNER: DAY STAR VENTURES, LLC - Request an Extension of Time of a previously approved Site Development Plan Review (SDR-22253) FOR A 19-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT WITH ACCESS TO HALEY AVENUE INSTEAD OF DORRELL LANE on 5.35 acres adjacent to the northeast corner of Hualapai Way and Haley Avenue (APNs 125-19-201-001 and 003), U (Undeveloped Zone [R (Rural Density Residential) General Plan Designation] under a Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Ross). Staff recommends APPROVAL
105. EOT-35796 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for an Extension of Time of a previously approved Special Use Permit (SUP-15037) FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT at 601 Fremont Street (APN 139-34-611-018), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE

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

106. SUP-35049 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TUNE & LUBE PLUS - OWNER: CHARLESTON PLAZA - Request for a Special Use Permit FOR A PROPOSED 1,820 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR at 1752 East Charleston Boulevard (APN 162-02-510-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. RQR-34974 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: Z J & R PROPERTIES - Required Review of an approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
108. RQR-34975 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: GES FAMILY, LP - Required Review of an approved Special Use Permit (U-0065-92) WHICH ALLOWED A 55-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN on the west side of the Oran K. Gragson Highway (US-95), south of Vegas Drive (APN 138-27-501-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
109. RQR-35241 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER - CLEAR CHANNEL OUTDOOR - Request for a Required Review of a previously approved Variance (V-0025-88), WHICH ALLOWED AN 80-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2130 Highland Avenue (APN 162-04-402-001), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

110. RQR-35242 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: O'ROURKE FAMILY, LP - Request for Required Review of a previously approved Variance (V-0024-88) WHICH ALLOWED A 65-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 1716 Highland Avenue (APN 162-04-301-002), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
111. RQR-35243 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: FERRIS INVESTMENTS, INC - Request for Required Review of a previously approved Variance (V-0026-88) WHICH ALLOWED A 65-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2002 Highland Avenue (APN 162-04-301-008), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
112. RQR-35268 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Request for Required Review of a previously approved Rezoning (Z-0100-97) WHICH ALLOWED FIVE EXISTING OFF-PREMISE SIGNS on property bounded by U.S.95, I-15 and Grand Central Parkway (APNs 139-33-511-004; 139-33-511-007; 139-33-610-014; and 139-27-410-005), PD (Planned Development) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

113. GPA-34610 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
114. ZON-34611 - ABEYANCE ITEM - REZONING RELATED TO GPA-34610 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
115. SDR-34612 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34610 AND ZON-34611 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request for a Site Development Plan Review FOR AN EXISTING 321-FOOT RADIO, TV OR MICROWAVE COMMUNICATION TOWER AND THE INSTALLATION OF ONE ANTENNA AT A HEIGHT OF 300 FEET ON AN EXISTING TOWER on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic)], Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
116. VAR-32640 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 146 ARE REQUIRED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
117. VAR-33015 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-32640 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW A 10-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 132 FEET AND TO ALLOW A LOT COVERAGE OF 82% WHERE 50% IS THE MAXIMUM PERMITTED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

118. SUP-32639 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-32640 AND VAR-33015 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Special Use Permit FOR A PROPOSED SENIOR CITIZEN APARTMENT COMPLEX WITH A WAIVER TO ALLOW APARTMENTS ON THE GROUND FLOOR WHERE NONE ARE PERMITTED adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
119. SDR-32638 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-32640, VAR-33015, AND SUP-32639 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 44-FOOT TALL, 151-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH 5,460 SQUARE FEET OF COMMERCIAL SPACE on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
120. VAR-34008 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
121. SUP-34006 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-34008 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
122. SDR-34010 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34008 AND SUP-34006 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
123. SUP-34016 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: LXT4, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) approximately 560 feet north of Meadows Lane and approximately 530 feet east of Decatur Boulevard (APN 139-31-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL
124. SUP-34859 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED TAVERN WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 20 FEET WHERE 1,500 FEET IS REQUIRED FROM A SIMILAR USE at 2233 Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
125. RQR-35347 - ABEYANCE ITEM - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARIO PENA PENA - Required Review of a previously approved Special Use Permit (SUP-31367) FOR AN AUTO REPAIR GARAGE, MINOR WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL

126. ZON-35382 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.39 acres at 500 South Main Street (APN 139-34-201-009), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
127. ZON-35383 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: REGIONAL TRANSPORTATION COMMISSION - Request for a Rezoning FROM: M (INDUSTRIAL) and C-M (COMMERCIAL/INDUSTRIAL) TO: C-2 (GENERAL COMMERCIAL) on 1.56 acres at 400 South Main Street (APN 139-34-201-019), Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
128. SDR-35417 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-35382 AND ZON-35383 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS AND REGIONAL TRANSPORTATION COMMISSION - Request for a Site Development Plan Review FOR A PROPOSED 310,000 SQUARE-FOOT PARKING GARAGE WITH 675 SPACES AND 4,430 SQUARE FEET OF RETAIL WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN DEVELOPMENT STANDARDS REGARDING NON-COMPATIBLE EXTERIOR WALLS on 1.95 acres at 400 and 500 South Main Street (APNs 139-34-201-009 and 019), M (INDUSTRIAL) Zone and C-M (COMMERCIAL/INDUSTRIAL) Zone [Proposed: C-2 (GENERAL COMMERCIAL) Zone], Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL
129. VAR-35381 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE 26 PARKING SPACES ARE REQUIRED FOR A PROPOSED GOVERNMENT FACILITY (FIRE STATION) on a portion of 6.06 acres at the southeast corner of Stella Lake Street and Mount Mariah Drive (APN 139-21-313-016), C-PB (Planned Business Park) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
130. SDR-35380 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35381 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 7,600 SQUARE-FOOT GOVERNMENT FACILITY (FIRE STATION) on a portion of 6.06 acres at the southeast corner of Stella Lake Street and Mount Mariah Drive (APN 139-21-313-016), C-PB (Planned Business Park) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
131. SUP-35154 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BOCA FASHION VILLAGE PIZZERIA - OWNER: BOCA FASHION VILLAGE, LLC - Request for a Special Use Permit FOR A PROPOSED 3,658 SQUARE-FOOT SUPPER CLUB WITHIN A FORMER RESTAURANT at 750 Rampart Boulevard, Suite #7 (APN 138-32-312-005), PD (Planned Development) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
132. SUP-35176 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LOKA N. MISHRA - OWNER: ANDREW S. FONFA - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING RESTAURANT at 3641 West Sahara Avenue (APN 162-08-101-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
133. SUP-35196 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: PUBLIC STORAGE FUND IV - Request for a Special Use Permit FOR A PROPOSED 60-FOOT WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (FLAG POLE) at the northeast corner of East Charleston Boulevard and Shiloah Drive (APN 140-31-403-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
134. SUP-35224 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO, LLC - OWNER: TETON DURANGO 2008, LLC - Request for a Special Use Permit FOR ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN A PROPOSED 2,510 SQUARE-FOOT CONVENIENCE STORE at 8053 North Durango Drive, Suite #160 (APN 125-08-806-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross). The Planning Commission (4-1-1 vote) and staff recommend APPROVAL
135. SUP-35346 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WYNONA PERDUE - OWNER: TONOPAH CRAIG ROAD COMPANY, LLP - Request for a Special Use Permit FOR A PROPOSED 6,000 SQUARE-FOOT THRIFTSHOP at 4460 North Rancho Drive (APNs 138-02-601-001 & 002, 138-02-204-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL

136. VAC-35193 - VACATION - PUBLIC HEARING - APPLICANT: A CAB TAXI CO. - OWNER: 4444 SOUTH VALLEY VIEW DRIVE, LLC - Petition to Vacate a 3,126 square-foot portion of public right-of-way generally located on the north side of Gragson Avenue approximately 580 feet west of Bruce Street, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL
137. SDR-35195 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAC-35193 - PUBLIC HEARING - APPLICANT: A CAB TAXI, CO. - OWNER: 4444 SOUTH VALLEY VIEW DRIVE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 8,800 SQUARE-FOOT TAXICAB/LIMO YARD WITH ANCILLARY VEHICLE SERVICE AND AUTO REPAIR WITHIN 5,800 SQUARE FEET OF EXISTING BUILDINGS AND A PROPOSED 3,000 SQUARE-FOOT BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER ALONG THE WEST AND A PORTION OF THE EAST PERIMETERS WHERE EIGHT FEET IS REQUIRED, A SIX-FOOT BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, TO ALLOW A ZERO-FOOT SIDEWALK WHERE FIVE FEET IS REQUIRED AND TO ALLOW BARBED WIRE FENCING on 1.89 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-0-1 vote) recommends APPROVAL

SET DATE

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

CITIZENS PARTICIPATION

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

COUNCIL MEMBER RECOGNITION

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

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

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

EXHIBIT C

(Attach Affidavit of Publication of Deposit of Ordinance)

RECEIVED
CITY CLERK

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

2009 OCT -5 A 11: 01

STATE OF NEVADA)
COUNTY OF CLARK) SS:

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

LV CITY CLERK 2296311LV 5646272

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 09/25/2009 to 09/25/2009, on the following days:

09/25/2009

BILL NO. 2009-39

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 MEDIUM-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS (SYMPHONY PARK PARKING GARAGE) SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING A PARKING GARAGE ADJACENT TO SYMPHONY PARK TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

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 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on the September 16, 2009, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on October 7, 2009.

/s/ Beverly K. Bridges,
CMC City Clerk
PUB: September 25, 2009
LV Review-Journal

Signed:

Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

28th day of September, 2009.

Linda Espinoza
Notary Public

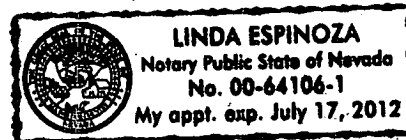


EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AFFP DISTRICT COURT
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

RECEIVED
CITY CLERK

2009 OCT 26 A 10:58

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

LV CITY CLERK 2296311LV 5708148

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/10/2009 to 10/10/2009, on the following days:

10/10/2009

ORDINANCE NO. 6061
(of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 MEDIUM-TERM BOND ORDINANCE"; PROVIDING FOR THE ISSUANCE BY THE CITY OF LAS VEGAS OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) MEDIUM-TERM BONDS (SYMPHONY PARK PARKING GARAGE) SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$15,000,000, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND IMPROVING A PARKING GARAGE ADJACENT TO SYMPHONY PARK TO BE USED FOR THE SMITH CENTER AND OTHER CITY PROPERTIES; PROVIDING COVENANTS, AGREEMENTS AND OTHER DETAILS CONCERNING THE BONDS, THE PROJECT AND GENERAL TAX PROCEEDS; RATIFYING ACTION PREVIOUSLY TAKEN AND PERTAINING TO THE FOREGOING BY THE CITY AND ITS OFFICERS AND EMPLOYEES; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on September 16, 2009, and was passed at the meeting held on October 7, 2009, by the following vote of the City Council:

Those Voting Aye:
Oscar B. Goodman
Gary Reese
Steve Wolfson
Lois Tarkanian
Steven D. Ross
Stavros S. Anthony
Those Voting Nay: None
Those Absent: None
Did Not Vote: Ricki Y. Barlow

This Ordinance shall be in full force and effect from and after the 9th day of October, 2009, 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 October 7, 2009.


Attest:
/s/ Oscar B. Goodman
Mayor
/s/ Beverly K. Bridges,
CMC City Clerk
PUB: October 10, 2009
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

14th day of October, 2009.

Linda Espinoza
Notary Public

 **LINDA ESPINOZA**
Notary Public State of Nevada
No. 00-64106-1
My appt. exp. July 17, 2012