

FIRST AMENDMENT

Summary - An ordinance authorizing the execution and delivery of a Lease-Purchase Agreement and related documents and providing other matters relating thereto.

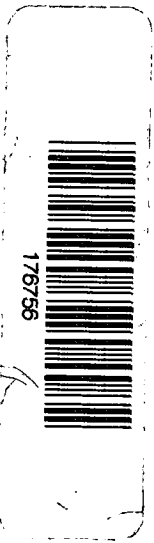
**BILL NO. 2009-50
ORDINANCE NO. 6070**

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE"; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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, the City proposes to incur financing to finance the acquisition, improvement, and equipment of a new City Hall in the City (the "Project"), to be evidenced by a Lease-Purchase Agreement by and between the City, as Lessee, and PQ Las Vegas, LLC, as Lessor (the "Lease-Purchase Agreement") entered into pursuant to Section 2.145 of the Charter and NRS Sections 350.014, 350.087 through 350.095 and 350.800, pursuant to which the City will lease and may purchase the Project; and

WHEREAS, on February 18, 2009, after a notice of intention to act upon the resolution authorizing the Lease-Purchase Agreement was duly published as required by NRS 350.087, the City Council of the City (the "Council") passed the 2009 City Hall Lease-Purchase Agreement Authorization Resolution which authorized the forwarding of information to the Executive Director of the Department of Taxation for his approval; and



WHEREAS, on April 28, 2009, the City received the approval of the Executive Director of the Department of Taxation and pursuant to a resolution adopted by the Council on June 17, 2009, such approval was recorded in the minutes of the Council as required by NRS 350.089; and

WHEREAS, pursuant to a resolution adopted by on January 7, 2009, the Council made a finding that, based on the revenue study presented to the Council, no increase in the rate of ad valorem tax is anticipated to be necessary for the payment of rent under the Lease-Purchase Agreement and requested the approval of the Clark County Debt Management of the City's proposal to execute and deliver the Lease-Purchase Agreement; and

WHEREAS, pursuant to a resolution adopted on February 13, 2009, the Clark County Debt Management Commission approved the City's proposal to execute and deliver the Lease-Purchase Agreement; and

WHEREAS, in order to finance the costs of the Project, there will be executed and delivered Certificates of Participation in the right to receive rentals and other revenues from the City under the Lease-Purchase Agreement (the "Certificates") pursuant to an Indenture of Trust dated as of December 1, 2009 by and between U.S. Bank National Association (the "Trustee") and City (the "Indenture"); and

WHEREAS, in addition to the Indenture and the Lease-Purchase Agreement, there have been filed with the City Clerk forms of the following documents to be executed and delivered in connection with the Certificates: (i) the City Hall Development Agreement dated December 17, 2009 by and between the City and QH Las Vegas, LLC (the "Development Agreement"); (ii) the Sub-Ground Lease dated December 17, 2009 by and between the City and QH Las Vegas, LLC (the "Sub-Ground Lease"); (iii) the Acknowledgment and Recognition Agreement by and among QH Las Vegas, LLC, PQ Las Vegas, LLC, and the City (the "Acknowledgment Agreement"); (iv) the Preliminary Official Statement for the Certificates (the "Preliminary Official Statement"); (v) the Continuing Disclosure Certificate to be executed by the City in connection with the execution and delivery of the Certificates (the "Disclosure Certificate"); (vi) the Certificate Purchase Agreement dated December 2, 2009 (the "Certificate Purchase Agreement") between the City and Stone & Youngberg, LLC, as representative (the "Representative") for itself, Citigroup Global Markets Inc. and Siebert Brandford Shank Co. LLC (collectively, the "Underwriters"); (vii) the Deed of Trust dated December 17, 2009 to be

executed by the City in favor of First American Title Insurance Company for the benefit of the Trustee in its capacity as trustee under the Indenture; and (viii) the Completion Guarantee dated December 17, 2009 to be executed by Forest City Enterprises, Inc. in favor of the City.

NOW, THEREFORE, THE 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 City Hall Lease-Purchase Agreement Ordinance” (this “Ordinance”).

SECTION 2. Ratification. All action heretofore taken by the Council and the officers and employees of the City taken with respect to or related to the Project and toward the execution and delivery of the Lease-Purchase Agreement, the other documents referred to in the recitals hereof, and the Certificates is ratified, approved and confirmed.

SECTION 3. Approval of Documents. The forms of the Lease-Purchase Agreement, Indenture, Development Agreement, Sub-Ground Lease, Acknowledgment Agreement, Disclosure Certificate, Certificate Purchase Agreement, Deed of Trust, and Completion Guarantee which are on file with the City Clerk are hereby approved. The City shall enter into and perform its obligations under the Lease-Purchase Agreement, Indenture, Development Agreement, Sub-Ground Lease, Acknowledgment Agreement, Disclosure Certificate, Certificate Purchase Agreement, and Deed of Trust in substantially the forms of such documents on file with the City Clerk, with only such changes therein as are required by the circumstances and are not inconsistent herewith. The officers of the City are hereby authorized and directed to execute and deliver such documents as required hereby.

SECTION 4. Granting of Security Interest under Deed of Trust. Pursuant to the Deed of Trust, the City will convey to First American Title Insurance Company, for the benefit of the Trustee, as trustee for the owners of the Certificates, a security interest in all of the City’s right, title and interest under the Sub-Ground Lease, the fee simple interest in the site of the Project, if any, to be acquired by the City in the future, the fee simple interest in the proposed parking garage to be constructed at 500 S. Main Street, and the parcels upon which such parking garage is to be constructed. Pursuant to NRS 350.800, the Council hereby finds and determines that: (a) granting the security interest in the property identified in Deed of Trust, in addition to the security interest in the Project granted under the Lease-Purchase Agreement and moneys on deposit pursuant to the Indenture, will result in lower financing costs to the City; and (b) the

value of Project, or the moneys on deposit pursuant the Indenture, as the case may be, and the property identified in the Deed of Trust does not, at the time the security interest is granted (i.e., the date of executing and delivery of the Certificates), exceed an amount equal to one and one-half times the value of the Project. Such findings and determinations of values by the Council shall be conclusive in the absence of fraud or gross abuse of discretion.

SECTION 5. Officials Statement. The preparation, electronic posting and distribution of the Official Statement in substantially the form of the Preliminary Official Statement relating to the Bonds is hereby authorized. The City's Director of Finance and Business Services and the City Manager are hereby authorized to approve, on behalf of the City, the Official Statement. The execution of the Official Statement by such persons shall be conclusively deemed to evidence the approval of the form and contents thereof by the City. The City's Director of Finance and Business Services is hereby authorized to designate the Preliminary Official Statement as a "nearly final Official Statement" for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

SECTION 6. 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 Certificates, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of such certificates as may be reasonably required by the Underwriter and the City's counsel.

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

SECTION 7. Implied Repealer. All ordinances, resolutions, 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 8. Publication. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper, 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 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE"; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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 November 18, 2009, and will be considered for adoption at the regular meeting of the Council of the City of Las Vegas held on December 2, 2009.

/s/ Beverly K. Bridges, MMC
City Clerk

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

SECTION 9. 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 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE"; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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 November 18, 2009, and was passed at the meeting held on December 2, 2009, by the following vote of the 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 6th day of December, 2009, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this December 2, 2009.

Attest:

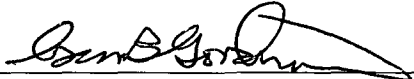
/s/ Oscar B. Goodman
Mayor

/s/ Beverly K. Bridges, MMC
City Clerk

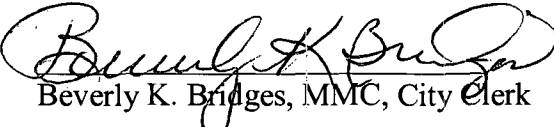
(End of Form of Publication)

SECTION 10. 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 December 2, 2009.


Oscar B. Goodman, Mayor

Attest:


Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

 12-2-09
Deputy City Attorney

This Ordinance shall be in full force and effect from and after the 6th day of December, 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 November 18, 2009 and finally adopted and approved on December 2, 2009.

2. The following members of the Council were present at the November 18, 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
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3. The foregoing Ordinance was first proposed and read by title to the Council on November 18, 2009, and referred to the regular City Council meeting on December 2, 2009 for recommendation; thereafter it was reported favorably on said Ordinance on December 2, 2009, which was a regular meeting of said Council; that as said regular meeting, the proposed Ordinance was again read by title to the Council and adopted as amended. The members of the Council were present at the December 2, 2009 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Steve Wolfson Lois Tarkanian Ricki Y. Barlow
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Those Voting Nay:	Stavros S. Anthony
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Those Absent:	None
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Those Abstaining:	Steven D. Ross
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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 November 18, 2009 and December 2, 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 November 18, 2009 is attached to this certificate as Exhibit A, and a copy of such notice so given of the meeting of the Council on December 2, 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 December 11th,
2009.

(SEAL)

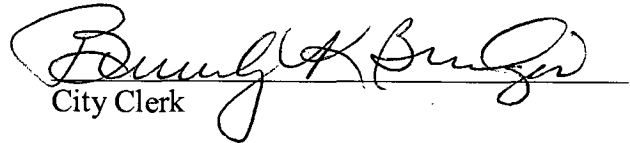

City Clerk

EXHIBIT A

(Attach Copy of Notice of November 18, 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.

November 18, 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 – PASTOR BENNY JAQUES, VICTORY OUTREACH LAS VEGAS
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF NATIVE AMERICAN HERITAGE MONTH
7. RECOGNITION OF GEOGRAPHIC INFORMATION SYSTEMS DAY
8. RECOGNITION OF THE SOKA GAKKAI BUDDHIST COMMUNITY CENTER
9. RECOGNITION OF R. GUILD GRAY ELEMENTARY SCHOOL BEING NAMED A BLUE RIBBON SCHOOL

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 Special City Council meeting of October 14, 2009 and the regular City Council meeting of October 21, 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 Commission for Cultural Affairs Funding Agreement, Amendment No. 1 in the amount of \$83,020 from the Nevada Commission for Cultural Affairs to the City of Las Vegas to further the implementation of seismic retrofit measures to the historic Federal Building-United States Post Office in order to allow for the building to be reused as the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Ward 5 (Barlow)

ADMINISTRATIVE SERVICES - CONSENT

13. Approval of an Interlocal Contract with Clark County for the FY 2010 State Emergency Response Commission (SERC) grant in the amount of \$17,361 - All Wards

FIELD OPERATIONS - CONSENT

14. Approval authorizing staff to submit a Public Purpose Reservation to the Bureau of Land Management for 5 acres of land located at the Southwest corner of Deer Springs Way and Hualapai Way, APN 126-24-701-020 - Ward 6 (Ross)
15. Approval of a Third Amendment to Lease Agreement between the City of Las Vegas and James Ream for office space located at 333 North Rancho Drive, commonly known as the Atrium Business Tower - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

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

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

17. Approval of a Change of Business Name for a Package License, Longs Drug Stores California, LLC, dba From: Longs Drug Stores 9965, To: CVS Pharmacy 9965, 9430 Del Webb Boulevard, Zenon Lankowsky, Pres, Carol DeNale, Vice Pres, Treas, Thomas Moffatt, Secy, Linda Cimbron, Asst Secy, and Melanie Luker, Asst Secy - Ward 4 (Anthony)
18. Approval of a Change of Business Name for a Package License, Longs Drug Stores California, LLC, dba From: Longs Drug Stores 9967, To: CVS Pharmacy 9967, 1950 Village Center Circle, Zenon Lankowsky, Pres, Carol DeNale, Vice Pres, Treas, Thomas Moffatt, Secy, Linda Cimbron, Asst Secy, and Melanie Luker, Asst Secy - Ward 2 (Wolfson)
19. Approval of a Change of Business Name for a Tavern License and a Liquor Caterer License subject to Health Dept. regulations, Jillian's Management Company, LLC, dba From: Jillian's Management Company, To: Las Vegas Rocks Cafe, 450 Fremont Street, Suite 130, Loraine Kusuhara, Pres - Ward 5 (Barlow)
20. Approval of a Change of Business Name, Change of Location, and Change of Ownership for a Supper Club License, From: Covarrubias Enterprises, Inc., dba La Sirena Mexican Seafood Restaurant, 2327 South Eastern Avenue, To: Tu Casa, Inc., dba Leticia's Cocina, 7585 Norman Rockwell Lane, Leticia Gardea, Pres, 51% and Gustavo Gutierrez, Secy, CFO, 49% - Ward 6 (Ross)

21. Approval of an extension of a Temporary Package License, Mariana's Enterprises, dba Mariana's Supermarket, 574 North Eastern Avenue, Hipolito Anaya, Pres, Dir, and Ana Maria Anaya, Secy, Treas, Dir, 100% jointly with spouse - Ward 3 (Reese)
22. Approval of a new Beer/Wine/Cooler Off-sale License, Loper Markets, Inc., dba Rainbow Market #9, 5075 East Washington Avenue, Curtis R. Loper, Pres, Dir, 51%, Lenard R. Loper, Secy, Treas, and Carolyn A. Loper, 49% jointly with spouse - Ward 3 (Reese)
23. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Loper Markets, Inc., dba Rainbow Market #9, 5075 East Washington Avenue, Curtis R. Loper, Pres, Dir, 51%, Lenard R. Loper, Secy, Treas, and Carolyn A. Loper, 49% jointly with spouse - Ward 3 (Reese)
24. Approval of an extension of a Temporary Beer/Wine/Cooler On-sale License for a Change of Ownership, From: LL&Q Base, LLC, To: Sushi House Enterprises, dba Tokyo Sushi House, 10040 West Cheyenne Avenue, Suite 50, Yongmi Ji, Pres, Secy, Treas, Dir, 100% - Ward 4 (Anthony)
25. Approval of a Non-restricted Limited Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Nevada Gaming Partners, LLC, db at Cardenas Markets, 4421 East Bonanza Road - Ward 3 (Reese)
26. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Briad Restaurant Group, LLC, dba TGI Friday's, 4570 West Sahara Avenue, Bradford L. Honigfeld, 100% - Ward 1 (Tarkanian)
27. Approval of a Restricted Gaming License, United Coin Machine Company, db at 7 Eleven Store #34007, 7785 North Durango Drive, Suite 155, JPM Mart, Inc., John P. McGrail, Pres, Secy, Treas, 100% (Participant) - Ward 6 (Ross)
28. Approval of an extension of a Temporary Burglar Alarm Service License, Westec Intelligent Surveillance, Inc., dba Westec Intelligent Surveillance, Inc., 1234 Lakeshore Drive, Suite 600, Kelby D. Hagar, Pres, CEO, Dir, John J. Curreri, CFO, Secy, Treas, Westec Acquisition Corporation, Gerald Vento, Dir - Texas
29. Approval of an extension of a Temporary Locksmith License, Michael Rivera Esparza, dba All Secure Lock & Safe, 1725 North Decatur Boulevard, Michael R. Esparza, Owner, 100% - Ward 5 (Barlow)
30. Approval of an extension of a Temporary Locksmith License, Turbo Cleaning Services, LLC, dba Turbo Cleaning Services, LLC, 5167 Numidia Avenue, Joshua Guild, Mgr, 100% - County
31. Approval of an extension of a Temporary Massage Establishment License, Massage & Wellness Group, Inc., dba Massage Pro, 5300 West Sahara Avenue, Suite 101, Parley P. Call Jr., Pres, Secy, Treas, Dir, 100% - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

32. Approval of award of Agreement No. 100095-DC, Building Energy Audit Services Agreement for Energy Audit at 18 City of Las Vegas facilities – Department of Public Works – Award recommended to: JBA CONSULTING ENGINEERS, INC. (\$100,000 – Multipurpose Special Revenue Fund) - All Wards
33. Approval of award of Bid No. 10.1730.02-TF, Las Vegas Wash Middle Branch Rainbow Storm Drain, Elkhorn Road to Grand Teton Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: WISER CONSTRUCTION, LLC (\$7,351,023.85 - Road and Flood Capital Projects Fund) - Ward 6 (Ross) and County
34. 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)
35. Approval of Modification No. 1 to Bid No. 09.1730.11-DC, Rampart Trail Phase I, Rampart Trail Phase II, Angel Park Trailhead located along Rampart Boulevard from Westcliff Drive to Summerlin Parkway and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: DIAMOND CONSTRUCTION COMPANY, INC. (\$400,000 - Parks and Leisure Activities Capital Projects Fund) - Wards 2 and 4 (Wolfson and Anthony)

FIRE & RESCUE - CONSENT

36. Approval to authorize the City's Las Vegas Fire & Rescue Director to execute a grant award in the amount of \$311,585 from the Nevada Department of Public Safety, Division of Emergency Management for reimbursement of homeland security funds to support the City's Metropolitan Medical Response System (MMRS) Program - All Wards

PUBLIC WORKS - CONSENT

37. Approval to Appraise and Purchase or Condemn right-of-way parcels located at the intersection of Bonanza Road and Tonopah Drive for the Traffic Package 7A project located in the South Half of the South Half of Section 28 and the South Half of the South Half of Section 29, Township 20 South, Range 61 East, Mount Diablo Meridian, APNs 139-28-401-006 and 139-29-802-006 (\$25,000 -Traffic Improvement Capital Projects Fund) - Ward 5 (Barlow)
38. Approval of a Declaration of Intent to retain a Drainage Easement for the Sandhill Owens Park and Trailhead project (also known as Douglas A. Selby Park and Trailhead) for a portion of the Northeast Quarter of Section 30, Township 20 South, Range 62 East, Mount Diablo Meridian located on the east side of Sandhill Road, north of the Las Vegas Wash, APN 140-30-601-001 - Ward 3 (Reese)
39. Approval of a Dedication from the City of Las Vegas for a portion of the West Half of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 1, Township 20 South, Range 59 East, Mount Diablo Meridian, for rights-of-way along Stange Avenue, APN 137-01-201-009 - Ward 4 (Anthony)
40. Approval of a Dedication from the City of Las Vegas for a portion of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 33, Township 19 South, Range 60 East, Mount Diablo Meridian, for rights-of-way along Ann Road, Cimarron Road and 25-foot radius corner, APN 125-33-101-005 - Ward 4 (Anthony)
41. Approval to file an amendment to Right-of-Way Grant N-74262 with the Bureau of Land Management for additional road, sanitary sewer and drainage purposes being a portion of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 29, Township 19 South, Range 60 East, this grant will be for Bonita Vista Street generally located north of Tropical Parkway and east of Bright Angel Way, APN 125-29-601-021- Ward 6 (Ross)
42. Approval of First Supplemental Interlocal Contract LAS26B08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to extend the construction project completion date to December 31, 2011 and decrease funding in the amount of \$2,108,767 for the Grand Teton Overpass – Storm Drain (Grand Teton Drive - Tee Pee Lane to US-95) - Ward 6 (Ross)
43. Approval of Supplemental Interlocal Contract 484b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the project completion date to November 30, 2014 and increase project funding for the traffic capacity improvements at the intersection of Lamb Boulevard and Charleston Boulevard (\$1,127,000 - RTC) - Ward 3 (Reese)
44. Approval of First Supplemental Interlocal Contract LAS26A07 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCDD) to extend the engineering project completion date to December 31, 2011 for the Grand Teton Overpass – Storm Drain (Grand Teton Drive - Tee Pee Lane to US-95) - Ward 6 (Ross)
45. Approval of an Amended Development Agreement between the City of Las Vegas and Cliff's Edge, LLC, on approximately 1,150 acres generally located adjacent to the south side of Grand Teton Drive between Hualapai Way and Puli Road - Ward 6 (Ross)

RESOLUTIONS - CONSENT

46. R-78-2009 - Approval of Resolution supporting the designation of an area known as The Upper Las Vegas Wash as an Urban National Park Unit managed by The National Park Service – Ward 6 (Ross)
47. R-79-2009 – Approval of Resolution authorizing the City Manager or a designee to approve and execute certain contracts and other documents relating to the City's purchase of properties under the City's Neighborhood Stabilization Program

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

48. ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1054 Bonita Avenue in the amount of \$3,639 (General Fund) and assess a maximum of \$47,550 in daily civil penalties. PROPERTY OWNER: 1054 BONITA AVE TRUST - Ward 3 (Reese)
49. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1429 Virgil Street in the amount of \$3,994.35 (General Fund) and assess a maximum of \$24,550 in daily civil penalties. PROPERTY OWNER: WILLIAM M. MARSHALL - Ward 3 (Reese)
50. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1410 Pacific Street in the amount of \$3,261.80 (General Fund) and assess a maximum of \$42,550 in daily civil penalties. PROPERTY OWNER: IRENE WELDIN - Ward 3 (Reese)
51. Public Hearing on local improvement district for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$76,002.20 - Capital Projects Fund - Special Assessments) - Ward 6 (Ross)
52. Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 2001 Fremont Street, Unit 114. PROPERTY OWNER: HAROLD G. SWEET JR. - Ward 3 (Reese)

ADMINISTRATIVE - DISCUSSION

53. Report and possible action on Workforce Connections services, programs, resources and activities by Executive Director, John Ball - All Wards
54. Discussion and possible action on the six-month review of the financial forecast model and related Fundamental Service Review - All Wards
55. Discussion and possible action regarding the Third Amendment to Master Development Agreement between the City of Las Vegas, a political subdivision of the state, City Parkway IV A, Inc., a Nevada non-profit corporation, Office District Parking I, Inc., a Nevada non-profit corporation, LiveWork, LLC, a Delaware limited liability company, FC Vegas 20, LLC, a Nevada limited liability company, and FC Vegas 39, LLC, for the development of the block located on Main Street between Lewis Avenue and Clark Avenue - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

56. ABEYANCE ITEM - 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)
57. Discussion and possible action regarding a Six Month Review of a Temporary Beer/Wine/Cooler Off-sale License, Crazy Ely Western Village, LLC, dba Crazy Ely Western Village, 321 Fremont Street, Haim Gabay, Mgr - Ward 3 (Reese)
58. Discussion and possible action regarding a Six Month Review of a Temporary Beer/Wine/Cooler Off-sale License, G & G Fremont, LLC, dba G & G, 24 Fremont Street, Haim Gabay, Mgr and Guillermo J. Santos, Sr Mgr - Ward 5 (Barlow)
59. Discussion and possible action regarding a Six Month Review of a Temporary Massage Establishment License, Akers Chiropractic, dba Akers Chiropractic, 2931 North Tenaya Way, Suite 106, Terry Akers, 100% - Ward 4 (Anthony) [NOTE: This is an ancillary license to an existing chiropractic business - Akers Chiropractic]
60. Discussion and possible action regarding a Six Month Review of a Temporary Massage Establishment License, Red Rock Chiro, LLC, dba Red Rock Chiropractic, 500 South Rancho Drive, Suite 1, Margaret Colucci, Managing Mmbr, 100% - Ward 1 (Tarkanian) [NOTE: This is an ancillary license to an existing chiropractic business - Red Rock Chiropractic]
61. Discussion and possible action regarding a new Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, Las Palmas Entertainment, Inc., dba Azul Tequila Night Club, 115 North 7th Street, Francisco Lara, Pres, Secy, Treas, Dir, 100% - Ward 5 (Barlow)

- 62. Discussion and possible action regarding a new Psychic Arts and Science License, Nana Adams, dba Psychic Arts of Las Vegas, 1620 South Decatur Boulevard, Suite E, Nana Adams, Owner, 100% - Ward 1 (Tarkanian)
- 63. Discussion and possible action regarding an Appeal of Work Card Denial for Ivana Vela, db at Vinny Boy's Italian Market Place, 3620 West Sahara Avenue, Suite W02 - Ward 1 (Tarkanian)

RESOLUTIONS - DISCUSSION

- 64. R-80-2009 - 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 CR Corporation located at 1239-1299 South Las Vegas Boulevard (APNs 162-03-112-030 and 031) 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 4 (RA-18-2009)]

BOARDS & COMMISSIONS - DISCUSSION

- 65. HISTORIC PRESERVATION COMMISSION – Janet Ruth White, Term Expiration 3-6-2011 (Resigned)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 66. Bill No. 2009-44 – Requires that dogs and cats over the age of four months be spayed or neutered, except under specified circumstances, and requires the microchipping of dogs and cats before they can be recovered from impound or adopted. Sponsored by: Councilman Steven D. Ross

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

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

- 67. Bill No. 2009-45 – Amends the City’s regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions. Sponsored by: Councilman Steve Wolfson
- 68. Bill No. 2009-47 – Updates the City’s drought conservation measures in accordance with revisions to the Southern Nevada Water Authority’s Drought Plan. Sponsored by: Councilwoman Lois Tarkanian

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.

- 69. Bill No. 2009-48 – Adopts the 2009 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Christopher Knight, Director of Building and Safety
- 70. Bill No. 2009-49 – Updates Municipal Code provisions pertaining to the Department of Finance and Business Services. Proposed by: Elizabeth N. Fretwell, City Manager
- 71. Bill No. 2009-50 – Authorizes the execution and delivery of a lease purchase agreement and related agreements to effect the financing of a new City Hall proposed to be located in the area bounded by Lewis Avenue, Clark Avenue, Main Street and First Street. Proposed by: Mark R. Vincent, Director of Finance and Business Services.
- 72. Bill No. 2009-51 – Authorizes the City to execute the Fourth Amendment to the Amended and Restated Fremont Street Experience Project Development Agreement to provide terms for the repayment of a portion of the costs incurred by the City of Las Vegas Redevelopment Agency to acquire the Fremont Street Parking Garage. Sponsored by: Councilman Gary Reese

CLOSED SESSION

73. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 228.220 to discuss labor issues

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

74. 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 - DISCUSSION

75. GPA-34792 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: MXU (MIXED USE) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
76. ZON-34793 - ABEYANCE ITEM - REZONING RELATED TO GPA-34792 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
77. SDR-34794 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34792 AND ZON-34793 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Site Development Plan Review TO ESTABLISH A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD WITHIN AN EXISTING 4,279 SQUARE-FOOT OFFICE AND WAREHOUSE DEVELOPMENT WITH PERIMETER RAZOR WIRE on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
78. SUP-35468 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VERIZON WIRELESS, INC. - OWNER: TEDDY ENTERPRISES, LP. - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR THE INSTALLATION OF NINE ANTENNAS ON AN EXISTING 110-FOOT WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN, AT A MAXIMUM HEIGHT OF 112 FEET at 3441 West Sahara Avenue (APN 162-08-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-1 vote) and staff recommend DENIAL
79. EOT-35880 - ABEYANCE ITEM - EXTENSION OF TIME - SPECIAL USE PERMIT - NON-PUBLIC HEARING - APPLICANT: JIT & NIRMAL MANN - OWNER: RECEIVERSHIP ESTATE OF AMAPOLA ORANGE, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-22251) FOR A PROPOSED SUPPER CLUB WITH A WAIVER TO ALLOW 152 FEET SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 2000 South Rainbow Boulevard, Suite 108-110 (APN 163-02-313-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
80. EOT-36311 - EXTENSION OF TIME - VARIANCE - NON-PUBLIC HEARING APPLICANT/OWNER: GOOD EARTH ENTERPRISE, INC. - Request for an Extension of Time of an approved Variance (VAR-1295) TO ALLOW 35 PARKING SPACES WHERE 70 PARKING SPACES ARE REQUIRED FOR A PROPOSED 330 UNIT ASSISTED LIVING APARTMENT COMPLEX at 233 South 6th Street and 232 South 7th Street (APN: 139-34-611-034, 036, 037, and 039), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL

81. EOT-36309 - EXTENSION OF TIME - SPECIAL USE PERMIT – NON-PUBLIC HEARING - APPLICANT/OWNER: GOOD EARTH ENTERPRISE, INC. - Request for an Extension of Time of an approved Special Use Permit (SUP-1531) FOR A 330 UNIT ASSISTED LIVING APARTMENT COMPLEX at 233 South 6th Street and 232 South 7th Street (APN 139-34-611-036 and 037), C-2 (General Commercial) Zone Ward 3 (Reese). Staff recommends DENIAL

SET DATE

82. 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

83. 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

84. 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 December 2, 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.

December 2, 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 – FATHER DAVID REESON, CHAPLAIN, NELLIS AIR FORCE BASE
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH
6. RECOGNITION OF THE TEAM OF THE QUARTER
7. RECOGNITION OF LAS VEGAS ACADEMY CHOIR DIRECTOR SHAUNANTHONY
8. RECOGNITION OF WARD 2 RESIDENT SHANE EMERICK FOR RENDERING MEDICAL AID

BUSINESS ITEMS - MORNING

9. 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
10. Approval of the Final Minutes by reference of the regular City Council meeting of November 4, 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

11. Approval of the Community Charter for Symphony Park, the master planned mixed-use community located at 100 South Grand Central Parkway (APN's 139-33-511-002, 008 to 010, 139-33-610-025 to 027, 139-34-110-005, 007 to 009, 139-34-211-001 and 002) - Ward 5 (Barlow)
12. Approval of the Symphony Park Founder Agreement between City Parkway V, Inc., a Nevada non-profit company, and Newland Communities, LLC, a Delaware limited liability company, to manage Symphony Park Master Association of Symphony Park, a master planned mixed-use community located at 100 South Grand Central Parkway (APN's 139-33-511-002, 008 to 010, 139-33-610-025 to 027, 139-34-110-005, 007 to 009, 139-34-211-001 and 002) - Ward 5 (Barlow)

BUSINESS DEVELOPMENT - CONSENT

13. Approval for the City of Las Vegas to accept the conveyance of title to parcels totaling approximately 3.34 acres in the Las Vegas Enterprise Park from the Urban Chamber of Commerce and authorize the payment of property taxes, penalties, interest and fees due to Clark County for said parcels (APNs 139-21-313-013 and -015) (\$45,000 – Industrial Development Revenue Fund) - Ward 5 (Barlow).

FIELD OPERATIONS - CONSENT

14. Approval authorizing staff to submit a Public Purpose Reservation to the Bureau of Land Management for 10-acres of land located west of Cliff Shadows Parkway, north of Hickam Avenue (APN 137-01-301-021) - Ward 4 (Anthony)
15. Approval of a First Amendment to Lease Agreement between the City of Las Vegas and Father Flanagan's Boy's Home for the property located at 821 North Mojave (APN 139-25-303-008) - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

16. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
17. Approval to reallocate \$400,000 of 1% Room Tax funding from the Public Works Capital Project Fund to Parks and Leisure Activity Capital Project Fund in order to provide additional funding needed for the Martin Luther King Median Landscape project - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

18. Approval of an extension of a Temporary Liquor Caterer License, Bonanza Mojave, LLC, dba Elegante Banquet Hall, 3020 East Bonanza Road, Suite 110, Sam Hamika, Owner, 100% - Ward 3 (Reese)
19. Approval of a Change of Location for a Liquor Caterer License, 6 Corona, Inc., dba El Oasis Salon de Fiestas, From: 3231 North Decatur Boulevard, Suite 134, To: 3100 East Lake Mead Boulevard, Victor Corona, Pres and Alma Corona, Secy, Dir - North Las Vegas

20. Approval of a Change of Ownership for a Supper Club License, From: Smallz!, Inc., dba Joey's Seafood and Grill, To: HAMOA, Inc., dba Melting Pot Restaurant, 8704 West Charleston Boulevard, Suite 102, Jonathon Heaton, Pres, Dir, 100% - Ward 2 (Wolfson)
21. Approval of a Change of Location for an Astrology License and a Psychic Arts and Science License, Kerry Fezza, dba Kerry Fezza, From: 7524 Tumbling Street, To: 8412 Haven Brook Court, Kerry Fezza, Owner - Ward 4 (Anthony)
22. Approval of a new Class II Secondhand Dealer License, Colleen & Tom Enterprises, Inc., dba Colleen's Classic Consignment, 1540 South Rainbow Boulevard, Colleen Aiken, Pres, Secy, Treas, Dir, 100% - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

23. Approval of award of Agreement No. 100107-TF, Construction Management Agreement for North and South Environmental Enhancement Areas at Floyd Lamb Park located at 9200 Tule Springs Road - Department of Public Works - Award recommended to: VTN NEVADA (\$3,000,000 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)
24. Approval of award of Blanket Services Agreement No. 100085-LD, Design and Construction Management located at the Water Pollution Control Facility, 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: HDR ENGINEERING, INC. (\$1,000,000 - Sanitation Enterprise Fund) - County
25. Approval of award of Blanket Services Agreement No. 100084-LD, Design and Construction Management located at the Water Pollution Control Facility, 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: CAROLLO ENGINEERS, P.C. (\$1,000,000 - Sanitation Enterprise Fund) - County
26. Approval of award of Bid No. 09.1762.02-LED, Federal Project Numbers ARRA-009(119), ARRA-003-(121) and ARRA-003(122), 2009 Asphalt Overlay located on Lamb Boulevard from Charleston Boulevard to Owens Avenue, Alexander Road from Cimmaron Road to U.S. 95, Durango Drive from Cheyenne Avenue to Alexander Road and Hills Center Drive from Village Center Circle to Lake Mead Boulevard and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Field Operations - Award recommended to: SOUTHERN NEVADA PAVING, INC. (\$3,374,500 - Road and Flood Capital Projects Fund) - Wards 2, 3 and 4 (Wolfson, Reese and Anthony)
27. Approval of award of Amendment No. 1 to Agreement No. 100118-LD, Engineering Design Services Agreement for Bonneville/Clark One-way Couplet - Department of Public Works - Award recommended to: KIMLEY-HORN AND ASSOCIATES, INC. (\$250,000 - Road and Flood Capital Projects Fund) - Ward 3 (Reese)
28. Approval of award of Contract No. 090227-CW, Radiological Services - Department of Fire and Rescue - Award recommended to: DESERT RADIOLOGY (\$60,000 - General Fund)
29. Approval of award of Contract No. 080160-TB, Associated High Performance Tennis Professionals for the Amanda and Stacy Darling Tennis Center located at 7901 West Washington Avenue - Department of Leisure Services - Award recommended to: NEVADA ELITE TENNIS TRAINING, INC. (\$100,000 - General Fund) - Ward 4 (Anthony)

PUBLIC WORKS - CONSENT

30. Approval to appraise and negotiate for real property for the future widening of Bonneville Avenue located on the northeast corner of Bonneville Avenue and Main Street, commonly known as 2 East Bonneville Avenue, being a portion of the Northwest Quarter of the Southwest Quarter of Section 34, Township 20 South, Range 61 East, Mount Diablo Meridian, APNs 139-34-311-005 and -006 (\$25,000 Regional Transportation Commission (RTC)-Gas Tax) - Ward 3 (Reese)
31. Approval of a Cooperative Agreement with the State of Nevada Department of Transportation (NDOT) to define maintenance responsibility for the construction of multi-use path and pedestrian crossings at Rainbow Boulevard and Decatur Boulevard for the Bonanza Trail project located within portions of the US-95 right-of-way between Tenaya Way and Decatur Boulevard - Wards 1 and 5 (Tarkanian and Barlow)
32. Approval of a Cooperative (Local Public Agency) Agreement with the State of Nevada Department of Transportation (NDOT) to fund the Rainbow Boulevard Road Repaving project located on Rainbow Boulevard between Smoke Ranch Road and Gowan Road (\$1,910,537 - NDOT [Federal American Recovery and Reinvestment Act of 2009 Funding]) - Wards 4, 5 and 6 (Anthony, Barlow and Ross) and County

33. Approval of Interlocal Agreement 113779 between the City of Las Vegas and the Las Vegas Valley Water District for extension of water facilities for the Sandhill Owens Park and Trailhead (a.k.a. Douglas A. Selby Park and Trailhead) located at Sandhill Drive and Owens Avenue (\$107,718 - Southern Nevada Public Land Management Act [SNPLMA]) - Ward 3 (Reese)
34. Approval of a Cooperative Agreement between the City of Las Vegas and the Nevada Department of Transportation in conjunction with the widening of US-95 from Washington Avenue to Ann Road (\$173,548 - 1% Room Tax Fund/Sanitary Enterprise Fund) - Wards 1, 4, 5 and 6 (Tarkanian, Anthony, Barlow and Ross)

RESOLUTIONS - CONSENT

35. R-81-2009 - Approval of a Resolution overruling complaints, protests, and objections and confirming the Final Assessment Roll for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$76,002.20 - Capital Projects Fund - Special Assessments) - Ward 6 (Ross)
36. R-82-2009 - Approval of Resolution supporting pursuit of the competitive energy efficiency and conservation block grant program funding, as part of the American Recovery and Reinvestment Act of 2009, for performing energy efficient retrofits to buildings within the community - All Wards

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

37. Discussion and possible action regarding a Memorandum of Understanding (MOU) between the Culinary Workers' Union, the City of Las Vegas, and the City of Las Vegas Redevelopment Agency(RDA) regarding labor matters within the City of Las Vegas and City of Las Vegas Redevelopment Area (\$25,000 - Special Revenue Funds) [NOTE: This item is related to RDA Item 4] - All Wards

CITY ATTORNEY - DISCUSSION

38. Hearing, discussion and possible action regarding complaint seeking disciplinary action against Admistca, Inc., a Nevada corporation; William L. Jacobs and Adela Jacobs, individuals and officers of Admistca, Inc., all doing business as Paradise Lounge, 530 South Martin Luther King Boulevard, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

39. ABEYANCE ITEM - Discussion and possible action regarding a new Tavern Limited License subject to the provisions of the planning and fire codes and Health Dept. regulations, Las Palmas Entertainment, Inc., dba Azul Tequila Night Club, 115 North 7th Street, Francisco Lara, Pres, Secy, Treas, Dir, 100% - Ward 5 (Barlow)
40. Discussion and possible action regarding Temporary Approval of a Liquor Caterer License subject to Health Dept. regulations, Mundo, LLC, dba Mundo A Culinary Haute Spot, 495 South Grand Central Parkway, Suite 116, Irma Aguirre, Managing Mmbr, George Harris, Managing Mmbr, George Collaso, Interest, and Robert T. Beers, Interest - Ward 5 (Barlow) - [NOTE: Item to be heard in the afternoon session in conjunction with Item 91 - SUP-35838]
41. Discussion and possible action regarding Temporary Approval of a Change of Business Name, Change of Location, and Change of Ownership for a Tavern License subject to the provisions of the planning code and Health Dept. regulations, From: Pounders, Inc, dba Pounders Sports Lounge, 332 West Sahara Avenue, To: Mundo, LLC, dba Mundo A Culinary Haute Spot, 495 South Grand Central Parkway, Suite 116, Irma Aguirre, Managing Mmbr, George Harris, Managing Mmbr, George Collaso, Interest, and Robert T. Beers, Interest - Ward 5 (Barlow) [NOTE: Item to be heard in the afternoon session in conjunction with Item 91 - SUP-35838]
42. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Work Card Denial for Ivana Vela, db at Vinny Boy's Italian Market Place, 3620 West Sahara Avenue, Suite W02 - Ward 1 (Tarkanian)

BOARDS & COMMISSIONS - DISCUSSION

43. ABEYANCE ITEM - HISTORIC PRESERVATION COMMISSION - Janet Ruth White, Term Expiration 3-6-2011 (Resigned)

- 44. REGIONAL FLOOD CONTROL DISTRICT CITIZENS ADVISORY COMMITTEE - Terrence P. Kane, P.E., Term Expiration 12-3-2009
- 45. PARK & RECREATION ADVISORY COMMISSION – Michael R. Aker Sr., Term Expiration 12-3-2009
- 46. ANIMAL ADVISORY COMMITTEE – Charles Fitzgerald, Term Expiration 12-3-2009

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

- 47. Bill No. 2009-45 – Amends the City’s regulations pertaining to alcoholic beverages, including updates to licensing categories, standards and definitions. Sponsored by: Councilman Steve Wolfson
- 48. Bill No. 2009-47 – Updates the City’s drought conservation measures in accordance with revisions to the Southern Nevada Water Authority’s Drought Plan. Sponsored by: Councilwoman Lois Tarkanian
- 49. Bill No. 2009-48 – Adopts the 2009 Edition of the International Energy Conservation Code, along with amendments thereto. Proposed by: Christopher Knight, Director of Building and Safety
- 50. Bill No. 2009-50 – Authorizes the execution and delivery of a lease purchase agreement and related agreements to effect the financing of a new City Hall proposed to be located in the area bounded by Lewis Avenue, Clark Avenue, Main Street and First Street. 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.

- 51. Bill No. 2009-49 – Updates Municipal Code provisions pertaining to the Department of Finance and Business Services. Proposed by: Elizabeth N. Fretwell, City Manager
- 52. Bill No. 2009-51 – Authorizes the City to execute the Fourth Amendment to the Amended and Restated Fremont Street Experience Project Development Agreement to provide terms for the repayment of a portion of the costs incurred by the City of Las Vegas Redevelopment Agency to acquire the Fremont Street Parking Garage. 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.

- 53. Bill No. 2009-52 - Levies Assessment for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road). Sponsored by: Step Requirement
- 54. Bill No. 2009-53 – Adopts an amended development agreement with Cliffs Edge, LLC for the Cliffs Edge (Providence) Development, generally located adjacent to the south side of Grand Teton Drive between Hualapai Way and Puli Road. Sponsored by: Councilman Steven D. Ross

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

- 55. 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.

56. EOT-36360 - EXTENSION OF TIME - REZONING - APPLICANT/OWNER: BUD HOLDINGS, LLC - Request for an Extension of Time of a previously approved Rezoning (ZON-6510) FROM R-1 (SINGLE FAMILY RESIDENTIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) TO C-1 (LIMITED COMMERCIAL) on 0.89 acres adjacent to the east side of Dike Lane, approximately 150 feet north of Bonanza Road (APN 139-29-704-019 through 025), Ward 5 (Barlow). Staff recommends APPROVAL
57. EOT-36364 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: BUD HOLDINGS, LLC - Request for an Extension of Time of a previously approved Variance (VAR-11714) TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) and R-1 (Single Family Residential) with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
58. EOT-36365 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: BUD HOLDINGS LLC - Request for an Extension of Time of a previously approved Variance (VAR-11712) TO ALLOW 400 PARKING SPACES WHERE 493 SPACES ARE THE MINIMUM REQUIRED FOR A PROPOSED MIXED USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) and R-1 (Single Family Residential) with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
59. EOT-36361 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: BUD HOLDINGS, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-6504) FOR A PROPOSED MIXED USE DEVELOPMENT adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) and R-1 (Single Family Residential) with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
60. EOT-36362 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: BUD HOLDINGS LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-8067) FOR A 350-FOOT TALL BUILDING WHERE 140 FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE AIRPORT OVERLAY ZONE adjacent to the northeast corner of Bonanza Road and Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) and R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
61. EOT-36358 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: BUD HOLDINGS, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-11707) FOR A PROPOSED 12-STORY MIXED USE DEVELOPMENT CONSISTING OF 300 RESIDENTIAL UNITS AND 10,000 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS TO ALLOW A 10-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 540 FEET IS THE MINIMUM SETBACK REQUIRED on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) and R-1 (Single Family Residential) with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

62. EOT-36228 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: WAYWARD PROPERTIES INC. - Request for an Extension of Time of a previously approved Variance (VAR-18924) TO ALLOW SEVEN PARKING SPACES WHERE 11 ARE REQUIRED FOR A PROPOSED TWO STORY, 3,299 SQUARE-FOOT OFFICE BUILDING on 0.16 acres at 514 Seventh Street (APN 139-34-710-024), P-R (Professional Office and Parking Lot) Zone, Ward 3 (Reese). Staff recommends APPROVAL
63. EOT-36229 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: WAYWARD PROPERTIES, INC. - Request for an Extension of Time of a previously approved Variance (VAR-19609) TO ALLOW A 50-FOOT LOT WIDTH WHERE 60 FEET IS THE MINIMUM LOT WIDTH REQUIRED, AND A FOUR-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED FOR A PROPOSED TWO STORY, 3,299 SQUARE-FOOT OFFICE BUILDING on 0.16 acres at 514 South Seventh Street (APN 139-34-710-024), P-R (Professional Office and Parking Lot) Zone, Ward 3 (Reese). Staff recommends APPROVAL
64. EOT-36227 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: WAYWARD PROPERTIES, INC. - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-18925) FOR A TWO STORY, 3,299 SQUARE-FOOT PROFESSIONAL OFFICE BUILDING WITH WAIVERS TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTHS OF FOUR FEET ON THE NORTH AND ZERO FEET ON THE SOUTH PROPERTY LINES WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 0.16 acres at 514 Seventh Street (APN 139-34-710-024), P-R (Professional Office and Parking Lot) Zone, Ward 3 (Reese). Staff recommends APPROVAL
65. EOT-36105 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: BEAZER HOMES HOLDING CORPORATION, LLC - Request for an Extension of Time of a previously approved Variance (VAR-9078) TO ALLOW A 13-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED ON THREE PROPOSED LOTS WITHIN AN APPROVED 313-LOT RESIDENTIAL DEVELOPMENT on 0.24 acres adjacent to the northeast corner of Farm Road and Puli Road (APN 126-13-212-007, 008 and 181), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend 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.

66. GPA-36056 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to AMEND THE DOWNTOWN NORTH LAND USE PLAN on 772 acres, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL
67. MOD-35911 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: ANTHONY M. MARLON AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN GEMERT - Request for a Major Modification to the Summerlin Master Development Plan TO AMEND THE EXISTING LAND USE DESIGNATION FROM: COS (COMMUNITY OPEN SPACE) TO: SF1 (SINGLE FAMILY DETACHED) on 0.27 acres, a portion of 9021 and 9025 Greensboro Lane (APNs 138-29-110-058 and 059), P-C (Planned Community) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
68. ZON-36119 - REZONING - PUBLIC HEARING - APPLICANT: HORVATH TOWERS, LLC - OWNER: SURETE SIETE, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 1.43 acres generally located on the west side of Jones Boulevard approximately 360 feet north of Smoke Ranch Road (APN 138-14-802-007), Ward 5 (Barlow). The Planning Commission (4-3 vote) and staff recommend APPROVAL

69. SUP-36117- SPECIAL USE PERMIT RELATED TO ZON-36119 - PUBLIC HEARING - APPLICANT: HORVATH TOWERS - OWNER: SURETE SIETE, LLC - Request for a Special Use Permit FOR A PROPOSED 85-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) generally located on the west side of Jones Boulevard approximately 360 feet north of Smoke Ranch Road (APN 138-14-802-007), U (Undeveloped) [SC (Service Commercial) General Plan Designation] Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) and staff recommend APPROVAL
70. ZON-36092 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 2.5 acres generally located at 5591 North Cimarron Road (APN 125-33-101-005), Ward 4 (Anthony). The Planning Commission (7-0 vote) and staff recommend APPROVAL
71. SUP-36136 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: UNITY BAPTIST CHURCH - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP at 545 Marion Drive (APN 140-32-501-001 and 002), R-E (Residence Estates) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
72. SDR-36124 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-36136 - PUBLIC HEARING - APPLICANT/OWNER: UNITY BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 48,816 SQUARE-FOOT ADDITION TO AN EXISTING 8,000 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A 10-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER WHERE 15 FEET IS REQUIRED on 4.17 acres at 545 Marion Drive (APN 140-32-501-001 and 002), R-E (Residence Estates) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
73. SUP-35909 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SECOND CHANCES BOUTIQUE - OWNER: TRAILWOOD CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED 1,549 SQUARE FOOT THRIFT SHOP at 9691 Trailwood Drive, Suite #101 (APN 138-19-420-004), P-C (Planned Community) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
74. SUP-36072 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRANCISCO LUJAN - OWNER: HIMIDIAN NERCES SARKIS LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED 988 SQUARE-FOOT THRIFTSHOP at 1412 East Charleston Boulevard (APN 162-02-110-007), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
75. SUP-36147 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BIG LEAGUE DREAMS LAS VEGAS, LLC - OWNER: CITY OF LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED 12,664 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF ZERO FEET FROM A CITY PARK, 100 FEET FROM A SIMILAR USE, 100 FEET FROM A RELIGIOUS FACILITY AND 400 FEET FROM A SCHOOL WHERE 1500 FEET IS THE MINIMUM DISTANCE REQUIRED at 3151 East Washington Avenue (APN 139-25-701-002), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
76. RQR-35792 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC - Request for a Required Review of a previously approved Special Use Permit (SUP-4811) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3319 Meade Avenue (APN 162-08-303-004), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
77. RQR-35793 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS, LLC - OWNER: JONATHAN PARK, LLC - Request for a Required Review of a previously approved Special Use Permit (SUP-4812) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 3542 Sirius Avenue (APN 162-08-303-027), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
78. RQR-35930 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a Required Review of a previously approved Special Use Permit (SUP-4592) FOR A 40-FOOT TALL, 10-FOOT X 40-FOOT OFF-PREMISE SIGN at 2744 Highland Drive (APN 162-09-202-001), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

79. ROC-36349 - REVIEW OF CONDITION – PUBLIC HEARING - APPLICANT/OWNER: WMC III ASSOCIATES LLC - Request for a Review of Condition Number 5 of a previously approved Site Development Plan Review (SDR-4841) TO ALLOW AN ADDITIONAL FIVE YEARS FOR THE SITE PLAN FOR A 345,670 SQUARE-FOOT TEMPORARY EXHIBIT SPACE on 20.68 acres at 209 South Grand Central Parkway (APNs 139-33-511-004 and 139-27-410-005), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
80. VAC-36135 - VACATION - PUBLIC HEARING - APPLICANT: BLUE MARBLE DEVELOPMENT - OWNER: SHIRON DEVELOPMENT, LLC - Petition to Vacate an existing 20-foot wide drainage easement and public sewer easements generally located on the south side of Darling Road, 600 feet west of Tenaya Way, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

81. 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
82. VAR-36338 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Variance TO ALLOW ZERO LOADING ZONES WHERE ONE IS REQUIRED on a portion of 25.03 acres at the northwest corner of El Capitan Way and Durango Drive (APN 125-17-612-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
83. SUP-36111 - SPECIAL USE PERMIT RELATED TO VAR-36338 - PUBLIC HEARING - APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Special Use Permit FOR A PROPOSED 2,155 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH at the northwest corner of El Capitan Way and Durango Drive (APN 125-17-612-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
84. SDR-36112 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-36338 AND SUP-36111 - PUBLIC HEARING - APPLICANT/OWNER: CAROLINE'S COURT, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-20496) FOR A PROPOSED 2,155 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH WITH A WAIVER OF TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW NO LANDSCAPING WITHIN THE ADDITIONAL 10-FOOT SETBACK AREA REQUIRED ALONG THE EAST PERIMETER FOR A FAST FOOD RESTAURANT, AND FOR A 72-FOOT TALL CLOCK TOWER WHERE A 39-FOOT TALL TOWER WAS PREVIOUSLY APPROVED on 25.03 acres at the northwest corner of El Capitan Way and Durango Drive (APN 125-17-612-001), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends DENIAL
85. ROC-36456 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: CAROLINE'S COURT LLC - Request for a Review of Condition #21 of a previously approved Site Development Plan Review (SDR-20496) TO ALLOW 24-HOUR OPERATIONS FOR THE NORTHERNMOST BUILDING WHERE 6 A.M. TO 10 P.M. IS CURRENTLY ALLOWED on 25.03 acres at 7757 North El Capitan Way (APN 125-17-612-001), T-C (Town Center) Zoning, Ward 6 (Ross). Staff recommends DENIAL
86. VAR-35778 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CARR LIVING TRUST U/A - Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING 567 SQUARE-FOOT ADDITION TO A SINGLE FAMILY DWELLING on 0.19 acres at 6017 Cottontail Cove Street (APN 125-26-610-069), R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

87. VAR-35857 - VARIANCE - PUBLIC HEARING - APPLICANT: FIDENCIO GARCIA - OWNER: WETHERBEE PROPERTIES, LLC - Request for a Variance TO ALLOW 105 PARKING SPACES WHERE 113 SPACES ARE REQUIRED FOR A PROPOSED 800 SQUARE-FOOT RESTAURANT EXPANSION on 2.15 acres at 941 North Pecos Road (APN 139-25-601-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
88. SUP-35932 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) and staff recommend DENIAL
89. SDR-35931 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-35932 - PUBLIC HEARING - APPLICANT/OWNER: FOUSTON JORDAN - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 2,871 SQUARE-FOOT RESIDENCE TO A CHURCH/HOUSE OF WORSHIP WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW BUFFER WIDTHS OF FIVE FEET, TWO FEET, AND SEVEN FEET ALONG THE EAST, WEST, AND NORTH PERIMETERS, RESPECTIVELY; WHERE EIGHT FEET IS REQUIRED AND SIX FEET ALONG THE FRONT PERIMETER WHERE 15 FEET IS REQUIRED on 0.60 acres at 1230 West Adams Avenue (APN 139-28-607-009), R-1 (Single Family Residential) Zone, Ward 5 (Barlow). The Planning Commission (4-3 vote) and staff recommend DENIAL
90. SUP-35891 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LEE'S DISCOUNT LIQUOR - OWNER: THOMSON SUMMERLIN HOLDINGS, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR A 10,565 SQUARE-FOOT PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 780 South Rampart Boulevard (APN 138-32-312-002), PD (Planned Development) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend DENIAL
91. SUP-35838 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MUNDO, LLC - OWNER: WMCV PHASE 1, LLC - Request for a Special Use Permit TO ADD A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) USE WITHIN AN EXISTING 6,621 SQUARE FOOT RESTAURANT WITH WAIVERS TO ALLOW A 660-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED AND AN 885-FOOT DISTANCE SEPARATION FROM A CHILD CARE CENTER WHERE 1,500 FEET IS REQUIRED at 495 South Grand Central Parkway, Suite #116 (APN 139-33-610-023), PD (Planned Development) Zone, Ward 5 (Barlow). Note: To be heard in conjunction with Morning Session Item Numbers 40 and 41. The Planning Commission (7-0 vote) and staff recommend APPROVAL
92. SUP-36130 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WONDERFITS FASHION EXCHANGE, LLC - OWNER: TETON DURANGO 2008, LLC - Request for a Special Use Permit FOR A PROPOSED 1,355 SQUARE-FOOT SECONDHAND DEALER (WEARING APPAREL) USE at 8053 North Durango Drive, Suite #130 (APN 125-08-806-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
93. ROC-36423 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: BELL REAL ESTATE COMPANY - Request for a Review of Conditions #3 and #4 of a previously approved Major Modification (SDR-21141) to an approved Site Development Plan Review (SDR-11676) TO DELETE THE REQUIREMENTS FOR RIGHT-OF-WAY IMPROVEMENTS PER THE DOWNTOWN CENTENNIAL STREET STANDARDS IN CONDITION #3 AND DELETE THE REQUIREMENT FOR ALL TREES IN CONDITION #4 on 1.77 acres at 2030, 2112, 2100, and 2114 Industrial Road (APNs 162-04-704-008, 162-04-802-001, 002, 003 and 004), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL
94. DIR-35476 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: WESTLEIGH NEIGHBORHOOD ASSOCIATION - OWNER: PEDRO FLORES, ET AL - Request to designate the Westleigh Neighborhood as an Historic District on the city of Las Vegas Historic Property Register, as approved by Historic Preservation Commission (HPC-35007), generally bounded by a public alley approximately 160 feet south of Charleston Boulevard on the north, Valley View Boulevard on the west, Oakey Boulevard on the south and Cashman Drive on the east, (APNs Multiple), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL

SET DATE

95. 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

96. 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

97. 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)

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2009 DEC -1 A 11: 21

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 5864487

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/20/2009 to 11/20/2009, on the following days:

11/20/2009

BILL NO. 2009:50

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE" AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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 November 18, 2009, and will be considered for adoption at the regular meeting of the Council of the City of Las Vegas held on December 2, 2009.

PUB: November 20, 2009
LV Review-Journal.

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 20th day of November, 2009.

Linda Espinoza
Notary Public

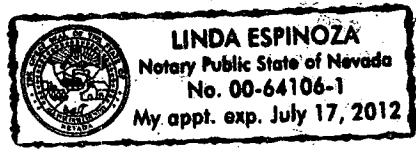


EXHIBIT D

(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 DEC 18 A 11: 04

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 5906036

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 12/05/2009 to 12/05/2009, on the following days:

12/05/2009

FIRST AMENDMENT
ORDINANCE NO. 6070
(of Las Vegas, Nevada)

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE" AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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 November 18, 2009, and was passed at the meeting held on December 2, 2009, by the following vote of the Council:

Those Voting Aye:
Oscar B. Goodman
Gary Reese
Steve Wolfson
Lois Tarkanian
Rickl Y. Barlow

Those Voting Nay:
Stavros S. Anthony

Those Abstaining: Steven D. Ross

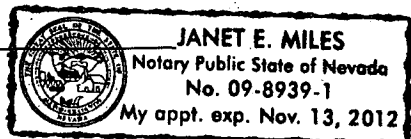
This Ordinance shall be in full force and effect from and after the 6th day of December, 2009, i.e. the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.
DATED this December 2, 2009.
/s/Oscar B. Goodman Mayor
Attest:
/s/Beverly K. Bridges
MMC City Clerk
PUB: December 5, 2009
LV Review-Journal

Signed Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE
7TH day of DECEMBER, 2009.

Janet E. Miles
Notary Public



Summary - An ordinance authorizing the execution and delivery of a Lease-Purchase Agreement and related documents and providing other matters relating thereto.

BILL NO. 2009-50
ORDINANCE NO. _____

AN ORDINANCE DESIGNATED BY THE SHORT TITLE "2009 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE"; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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, the City proposes to incur financing to finance the acquisition, improvement, and equipment of a new City Hall in the City (the "Project"), to be evidenced by a Lease-Purchase Agreement by and between the City, as Lessee, and PQ Las Vegas, LLC, as Lessor (the "Lease-Purchase Agreement") entered into pursuant to Section 2.145 of the Charter and NRS Sections 350.014, 350.087 through 350.095 and 350.800, pursuant to which the City will lease and may purchase the Project; and

WHEREAS, on February 18, 2009, after a notice of intention to act upon the resolution authorizing the Lease-Purchase Agreement was duly published as required by NRS 350.087, the City Council of the City (the "Council") passed the 2009 City Hall Lease-Purchase Agreement Authorization Resolution which authorized the forwarding of information to the Executive Director of the Department of Taxation for his approval; and

WHEREAS, on April 28, 2009, the City received the approval of the Executive Director of the Department of Taxation and pursuant to a resolution adopted by the Council on

June 17, 2009, such approval was recorded in the minutes of the Council as required by NRS 350.089; and

WHEREAS, pursuant to a resolution adopted by on January 7, 2009, the Council made a finding that, based on the revenue study presented to the Council, no increase in the rate of ad valorem tax is anticipated to be necessary for the payment of rent under the Lease-Purchase Agreement and requested the approval of the Clark County Debt Management of the City's proposal to execute and deliver the Lease-Purchase Agreement; and

WHEREAS, pursuant to a resolution adopted on February 13, 2009, the Clark County Debt Management Commission approved the City's proposal to execute and deliver the Lease-Purchase Agreement; and

WHEREAS, in order to finance the costs of the Project, there will be executed and delivered Certificates of Participation in the right to receive rentals and other revenues from the City under the Lease-Purchase Agreement (the "Certificates") pursuant to an Indenture of Trust dated as of December 1, 2009 by and between U.S. Bank National Association (the "Trustee") and City (the "Indenture"); and

WHEREAS, in addition to the Indenture and the Lease-Purchase Agreement, there have been filed with the City Clerk forms of the following documents to be executed and delivered in connection with the Certificates: (i) the City Hall Development Agreement dated December 17, 2009 by and between the City and QH Las Vegas, LLC (the "Development Agreement"); (ii) the Sub-Ground Lease dated December 17, 2009 by and between the City and QH Las Vegas, LLC (the "Sub-Ground Lease"); (iii) the Acknowledgment and Recognition Agreement by and among QH Las Vegas, LLC, PQ Las Vegas, LLC, and the City (the "Acknowledgment Agreement"); (iv) the Preliminary Official Statement for the Certificates (the "Preliminary Official Statement"); (v) the Continuing Disclosure Certificate to be executed by the City in connection with the execution and delivery of the Certificates (the "Disclosure Certificate"); (vi) the Certificate Purchase Agreement dated December 2, 2009 (the "Certificate Purchase Agreement") between the City and Stone & Youngberg, LLC, as representative (the "Representative") for itself, Citigroup Global Markets Inc. and Siebert Brandford Shank Co. LLC (collectively, the "Underwriters"); (vii) the Deed of Trust dated December 17, 2009 to be executed by the City in favor of First American Title Insurance Company for the benefit of the

Trustee in its capacity as trustee under the Indenture; and (viii) the Completion Guarantee dated December 17, 2009 to be executed by Forest City Enterprises, Inc. in favor of the City.

NOW, THEREFORE, THE 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 City Hall Lease-Purchase Agreement Ordinance” (this “Ordinance”).

SECTION 2. Ratification. All action heretofore taken by the Council and the officers and employees of the City taken with respect to or related to the Project and toward the execution and delivery of the Lease-Purchase Agreement, the other documents referred to in the recitals hereof, and the Certificates is ratified, approved and confirmed.

SECTION 3. Approval of Documents. The forms of the Lease-Purchase Agreement, Indenture, Development Agreement, Sub-Ground Lease, Acknowledgment Agreement, Disclosure Certificate, Certificate Purchase Agreement, Deed of Trust, and Completion Guarantee which are on file with the City Clerk are hereby approved. The City shall enter into and perform its obligations under the Lease-Purchase Agreement, Indenture, Development Agreement, Sub-Ground Lease, Acknowledgment Agreement, Disclosure Certificate, Certificate Purchase Agreement, and Deed of Trust in substantially the forms of such documents on file with the City Clerk, with only such changes therein as are required by the circumstances and are not inconsistent herewith. The officers of the City are hereby authorized and directed to execute and deliver such documents as required hereby.

SECTION 4. Granting of Security Interest under Deed of Trust. Pursuant to the Deed of Trust, the City will convey to First American Title Insurance Company, for the benefit of the Trustee, as trustee for the owners of the Certificates, a security interest in all of the City’s right, title and interest under the Sub-Ground Lease, the fee simple interest in the site of the Project, if any, to be acquired by the City in the future, the fee simple interest in the proposed parking garage to be constructed at 500 S. Main Street, and the parcels upon which such parking garage is to be constructed. Pursuant to NRS 350.800, the Council hereby finds and determines that: (a) granting the security interest in the property identified in Deed of Trust, in addition to the security interest in the Project granted under the Lease-Purchase Agreement and moneys on deposit pursuant to the Indenture, will result in lower financing costs to the City; and (b) the value of Project, or the moneys on deposit pursuant the Indenture, as the case may be, and the

property identified in the Deed of Trust does not, at the time the security interest is granted (i.e., the date of executing and delivery of the Certificates), exceed an amount equal to one and one-half times the value of the Project. Such findings and determinations of values by the Council shall be conclusive in the absence of fraud or gross abuse of discretion.

SECTION 5. Officials Statement. The preparation, electronic posting and distribution of the Official Statement in substantially the form of the Preliminary Official Statement relating to the Bonds is hereby authorized. The City’s Director of Finance and Business Services and the City Manager are hereby authorized to approve, on behalf of the City, the Official Statement. The execution of the Official Statement by such persons shall be conclusively deemed to evidence the approval of the form and contents thereof by the City. The City’s Director of Finance and Business Services is hereby authorized to designate the Preliminary Official Statement as a “nearly final Official Statement” for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

SECTION 6. 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 Certificates, including, without limitation, and if appropriate, a statement of insurance, if any;
- B. The execution of such certificates as may be reasonably required by the Underwriter and the City’s counsel.
- C. The assembly and dissemination of financial and other information concerning the City and the Certificates.

SECTION 7. 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 8. 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 CITY HALL LEASE-PURCHASE AGREEMENT
ORDINANCE”; AUTHORIZING THE EXECUTION AND
DELIVERY OF A LEASE-PURCHASE AGREEMENT AND
RELATED AGREEMENTS TO EFFECT THE FINANCING
OF A NEW CITY HALL; MAKING CERTAIN FINDINGS
IN CONNECTION THEREWITH; 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 November 18, 2009, and will be considered for adoption at the a regular meeting of the Council of the City of Las Vegas held on December 2, 2009.

/s/ Beverly K. Bridges, MMC
City Clerk

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

SECTION 9. 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 CITY HALL LEASE-PURCHASE AGREEMENT ORDINANCE"; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT AND RELATED AGREEMENTS TO EFFECT THE FINANCING OF A NEW CITY HALL; MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH; 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 November 18, 2009, and was passed at the meeting held on December 2, 2009, by the following vote of the 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 6th day of December, 2009, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this December 2, 2009.

Attest:

/s/ Oscar B. Goodman
Mayor

/s/ Beverly K. Bridges, MMC
City Clerk

(End of Form of Publication)

SECTION 10. 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 December 2, 2009.

Oscar B. Goodman, Mayor

Attest:

Beverly K. Bridges, MMC, City Clerk

APPROVED AS TO FORM:

V. Alford 11-5-09
Deputy City Attorney

This Ordinance shall be in full force and effect from and after the 6th day of December, 2009, i.e., the day after the publication of such Ordinance by its title only.

Those Absent:

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 November 18, 2009 and December 2, 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 November 18, 2009 is attached to this certificate as Exhibit A, and a copy of such notice so given of the meeting of the Council on December 2, 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 December __, 2009.

(SEAL)

City Clerk

EXHIBIT A

(Attach Copy of Notice of November 18, 2009 Meeting)

EXHIBIT B

(Attach Copy of Notice of December 2, 2009 Meeting)

EXHIBIT C

(Attach Affidavit of Publication of Deposit of Ordinance)

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:

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 5872269

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/21/2009 to 11/21/2009, on the following days:

11/21/2009

BILL NO. 2009-50

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/s/Beverly K. Bridges, MMC
City Clerk
PUB: November 21, 2009
LV Review-Journal

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE 23rd day of November, 2009.

Linda Espinoza
Notary Public

