

Summary - an ordinance authorizing the issuance of the City of Las Vegas, Nevada General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B.

**BILL NO. 2005-16**

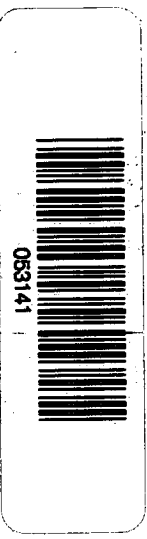
**ORDINANCE NO. 5758**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 Council of the City (the "Council") has determined and does hereby declare pursuant to Nevada Revised Statutes ("NRS") Chapter 377 and ' ' 2.350 and 7.020 of its Charter (collectively the "Project Act"), the City is authorized and empowered to pledge the Pledged Revenues (as defined herein) to pay bonds; and

**WHEREAS**, there remain unpaid and outstanding certain bonds previously issued by the City designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured with Pledged Revenues), Series 1997B" (the "1997 Bonds"), the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series November 1, 1998A" (the "1998A Bonds"), the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds



(Additionally Secured by Pledged Revenues), Series November 1, 1998B" (the "1998B Bonds"), the "City of Las Vegas, Nevada General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series October 1, 1999" (the "1999 Bonds@), the "City of Las Vegas, Nevada General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A" (the "2002 Bonds@) and the "City of Las Vegas, Nevada General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series 2003A" (the "2003 Bonds@) which 1997 Bonds, the 1998A Bonds, the 1998B Bonds, the 1999 Bonds, the 2002 Bonds and the 2003 Bonds (collectively, the "Prior Bonds") are secured by the Pledged Revenues on a parity basis with the bonds (the "Bonds") authorized to be issued by this Ordinance; and

**WHEREAS**, there are no outstanding obligations other than the Prior Bonds which are secured in whole or in part by the Pledged Revenues; and

**WHEREAS**, the City has never pledged nor in any way hypothecated the Pledged Revenues to the payment of any bonds, other than the Prior Bonds or for any other purpose; and

**WHEREAS**, pursuant to the provisions of NRS ' 350.500 through ' 350.720, and all laws amendatory thereof, cited in ' 350.500 thereof by the short title "Local Government Securities Law" (the "Bond Act"), the City is authorized to refund certain of the 1998B Bonds, the 1999 Bonds and the 2002 Bonds (the ARefunded Bonds@) designated in the Certificate of the Finance Director (as defined below) for the purpose of reducing interest costs or effecting other economies (the "Project"); and

**WHEREAS**, the City has determined and hereby determines that it is necessary and in the best interests of the City and its citizens to finance the Project; and

**WHEREAS**, the City has determined and does hereby determine that, based upon studies and reports pertaining thereto, the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and principal of the Bonds proposed to be issued pursuant to this Ordinance, without regard to any option reserved by the City for early redemption; and

**WHEREAS**, after notice inviting bids for their purchase, the City=s Director of Finance and Business Services, as the chief financial officer of the City (the "Finance Director"), or the City Manager, as the chief administrative officer of the City (the "City Manager"), is hereby

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

**WHEREAS**, the City hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds.

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

A. It is necessary and for the best interests of the City to effect the Project and to issue the Bonds; and

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

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

## ARTICLE I

### SHORT TITLE, DEFINITIONS, INTERPRETATION, RATIFICATION, TRANSMITTAL, AND EFFECTIVE DATE

Section 101. Short Title. This ordinance shall be known as and may be designated by the short title "2005B Various Purpose Refunding Bond Ordinance" (this "Ordinance").

Section 102. Meanings and Construction.

A. Definitions. The terms in this section defined for all purposes of this Ordinance and of any instrument amendatory hereof or supplemental hereto, and of any other instrument or any other document relating hereto, except where the context by clear implication otherwise requires, shall have the meanings herein specified:

"acquire" or "acquisition" means the opening, laying out, establishment, purchase, construction, securing, installation, reconstruction, lease, gift, grant from the Federal Government, the State, any body corporate and politic therein, or any other Person, the endowment, bequest, devise, transfer, assignment, option to purchase, other contract, or any combination thereof, of any properties relating to the Project, or an interest therein, or any other properties herein designated.

"annual principal and interest requirements" means the sum of the principal of and interest on the Outstanding Bonds and any other Outstanding designated securities payable from the Pledged Revenues having a lien thereon superior to or on a parity with the lien thereon of the Bonds, including the Outstanding Prior Bonds to be paid during any Bond Year, but excluding any reserve requirements to secure such payments unless otherwise expressly provided and excluding any amount payable from capitalized interest. In calculating this amount, the principal amount of bonds required to be redeemed prior to maturity pursuant to a mandatory redemption schedule contained in the ordinance or other instrument authorizing the issuance of such bonds shall be treated as maturing in the Bond Year in which such bonds are so required to be redeemed, rather than in the Bond Year in which the stated maturity of such bonds occurs.

"Bond Act" means NRS 350.500 through 350.720, and all laws amendatory thereof, designated in ' 350.500 thereof as the Local Government Securities Law.

"Bond Fund" or "2005B Bond Fund" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," created in ' 401A hereof,

and required to be accumulated and maintained in ' 604 hereof which shall be held separate and apart from the Income Fund.

"Bond Requirements" means the principal of, any prior redemption premiums due in connection with, and the interest on the Bonds and any additional bonds or other additional securities payable from the Pledged Revenues and hereafter issued, or such part of such securities or such other securities relating to the Project as may be designated, as such principal, premiums and interest become due at maturity or on a Redemption Date designated in a mandatory redemption schedule, in a notice of prior redemption, or otherwise.

"Bonds" means the securities issued hereunder and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B".

"Bond Year" means the 12 months commencing on June 2 of any calendar year and ending on June 1 of the next succeeding calendar year.

"Budget Act" means NRS 354.470 to 354.626, inclusive, and all laws amendatory thereof, designated in ' 354.470 thereof as the Local Government Budget Act.

"City" means the City of Las Vegas in the County of Clark in the State of Nevada, and constituting a political subdivision thereof, or any successor municipal corporation.

"City Clerk" means the de jure or de facto city clerk of the City and designated as such by the City, or his or her successor in functions, if any.

"City Treasurer" means the de jure or de facto city treasurer of the City and designated as such by the City.

"combined maximum annual principal and interest requirements" means the greatest of the annual principal and interest requirements to be paid during any Bond Year for the period beginning with the Bond Year in which such computation is made and ending with the Bond Year in which any bond last becomes due at maturity or on a Redemption Date on which any bond thereafter maturing is called for prior redemption. If any outstanding bonds are subject to variable interest rates, for the purpose of such computation, such interest rates shall be estimated by an Independent Accountant, an independent feasibility consultant or the Finance Director and the rate so estimated shall be used for the purpose of such computation. Any such computation shall be adjusted as

provided in ' 803C hereof, and shall be made by an Independent Accountant, an independent feasibility consultant or the Finance Director if expressly so required.

"commercial bank" means a state or national bank or trust company which is a member of the Federal Deposit Insurance Corporation and which is located within the United States; and such term includes, without limitation, any "trust bank" as herein defined.

"Cost of the Project" means all or any part designated by the City of the cost of the Project, which cost, at the option of the City, except as limited by law, may include all or any part of the incidental costs relating to the Project, including, without limitation:

(a) Preliminary expenses advanced by the City from funds available for use therefor or from any other source, or advanced with the approval of the City from funds available therefor or from any other source by the State, the Federal Government, or by any other Person with the approval of the City (or any combination thereof);

(b) The costs of appraising, printing, estimates, advice, of engineers, architects, accountants, financial consultants, attorneys at law, clerical help, or other agents or employees;

(c) The costs of making, publishing, posting, mailing and otherwise giving any notice in connection with the Project, the filing or recordation of instruments, the taking of options, the issuance of the Bonds and any other securities relating to the Project, and bank fees and expenses;

(d) The costs of contingencies;

(e) The costs of the capitalization with the proceeds of the Bonds of any interest on the bonds or other securities for any period not exceeding the period estimated by the City to effect the Project plus one year, of any discount on the bonds or other securities, and of any reserves for the payment of the principal of and interest on the Bonds or other securities, of any replacement expenses, and of any other cost of the issuance of the Bonds or other securities relating to the Project;

(f) The costs of amending any ordinance, resolution or other instrument authorizing the issuance of or otherwise relating to the Outstanding Bonds or other securities relating to the Project;

(g) The costs of funding any emergency loans, construction loans and other temporary loans of not exceeding 5 years relating to the Project and of the incidental expenses incurred in connection with such loans;

(h) The costs of any properties, rights, easements or other interests in properties, or any licenses, privileges, agreements and franchises;

(i) All other expenses necessary or desirable and relating to the Project, as estimated or otherwise ascertained by the City.

"Council" means the City Council of the City of Las Vegas, in the State of Nevada, including any successor to the Council.

"Escrow Account" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Escrow Account" created herein.

"Escrow Agreement" means the agreement between the City and the Escrow Agent regarding the redemption of the Refunded Bonds.

"Escrow Agent" means The Bank of New York Trust Company, N.A. or any successor thereto.

"Events of Default" means the events stated in ' 1103 hereof.

"Federal Government" means the United States, or any agency, instrumentality or corporation thereof.

"Federal Securities" means bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States.

"Fiscal Year" means the 12 months commencing on July 1 of any calendar year and ending on June 30 of the next succeeding calendar year; but if the Nevada legislature changes the statutory fiscal year relating to the City, the Fiscal Year shall conform to such modified statutory fiscal year from the time of each such modification, if any.

"General Tax Interest Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Interest Fund," created in ' 501 hereof.

"General Tax Principal Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Principal Fund," created in ' 501 hereof.

"General Taxes" or "Taxes" means general (ad valorem) taxes levied by the City against all taxable property within the boundaries of the City (unless otherwise qualified).

"hereby," "herein," "hereinabove," "hereinafter," "hereinbefore," "hereof," and any similar term refer to this Ordinance and not solely to the particular portion thereof in which the word is used; "heretofore" means before the adoption of this Ordinance; and "hereafter" means after the adoption of this Ordinance.

"Income Fund" means the special account designated as the "City of Las Vegas, Nevada, SCCRT Pledged Revenues Income Fund, Series 1993" created in ' 602 of the Ordinance authorizing the issuance of the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Multifamily Housing Bonds (Additional Secured by Pledged Revenues), Series November 1, 1993" (the "1993 Bonds") and continued herein which shall be held separate and apart from the Bond Fund.

"Independent Accountant" means any certified public accountant, or any firm of certified public accountants, duly licensed to practice and practicing as such under the laws of the State, as from time to time appointed and compensated by the City:

- (a) Who or which is, in fact, independent and not under the domination of the City;
- (b) Who or which does not have any substantial interest, direct or indirect, with the City, and
- (c) Who or which is not connected with the City as an officer or employee thereof, but who may be regularly retained to make annual or similar audits of any books or records of the City.

"Mayor" means the de jure or de facto Mayor of the City, or his or her successor in functions, if any.

"NRS" means Nevada Revised Statutes.

"newspaper" means a newspaper printed in the English language, published at least once each calendar week.

"Outstanding" when used with reference to the Bonds or any other designated securities and as of any particular date means all the Bonds or any such other securities payable from the Pledged Revenues or otherwise relating to the Project, as the case may be, in any manner theretofore and thereupon being executed and delivered:

(a) Except any Bond or other security canceled by the City, by the Paying Agent or otherwise on the City's behalf, at or before such date;

(b) Except any Bond or other security the payment of which is then due or past due and moneys fully sufficient to pay the same are on deposit with the Paying Agent;

(c) Except any Bond or other security for the payment or the redemption of which moneys at least equal to the City's Bond Requirements to the date of maturity or to any Redemption Date, shall have heretofore been deposited with a trust bank in escrow or in trust for that purpose, as provided in ' 1001 hereof; and

(d) Except any Bond or other security in lieu of or in substitution for which another bond or other security shall have been executed and delivered pursuant to ' ' 306 or 1209 hereof.

"owner" or any similar term, when used in conjunction with any Bonds, or any other designated securities, means the registered owner of any Bonds or other security which is registrable for payment if it shall at the time be registered for payment otherwise than to bearer.

"parity bonds" or securities" means the Outstanding Prior Bonds which are not refunded as part of the Project and any other bonds or securities which have a lien on the Pledged Revenues that is on a parity with the lien thereon of the Bonds.

"Paying Agent" means the City Treasurer, or any successor paying agent for the Bonds which may be appointed by the Council.

"Person" means a corporation, firm, other body corporate (including, without limitation, the Federal Government, the State, or any other body corporate and politic other than the City), partnership, association or individual, and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

"Pledged Distributed Local Tax Act" means, collectively, NRS ' 377.080, and each Act which authorizes or imposes one or more of the taxes or other impositions that generate revenues

distributed to the City pursuant to NRS 360.680, 360.690 or 360.700 and authorized to be pledged to the Bonds by NRS ' 377.080, as amended from time to time.

**"Pledged Revenues"** means a 15% portion of all income and revenue derived by the City from the Pledged Distributed Local Tax Act and distributed thereto pursuant to NRS 377.080. The Pledged Revenues means all or a portion of the Pledged Revenues. The designated term indicates sources of revenues and does not necessarily indicate all or any portion or other part of such revenues in the absence of further qualification. "Pledged Revenues" includes income derived from any additional sources if the Council is authorized to include and elects to include the additional sources in "Pledged Revenues" for the remaining term of the Bonds.

**"Prior Bonds"** means the Outstanding 1997 Bonds, the 1998A Bonds, the 1998B Bonds, the 1999 Bonds, the 2002 Bonds and the 2003 Bonds.

**"Project"** means the cost of refunding the Refunded Bonds.

**"Project Act"** means NRS Chapter 377 and ' ' 2.350 and 7.020 of the City's Charter, as amended from time to time.

**"Rebate Fund"** means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Rebate Fund" created in ' 607 hereof.

**"Redemption Date"** means a date fixed for the redemption prior to their respective maturities of any Bonds or other designated securities payable from any Pledged Revenues in any mandatory redemption schedules, or in any notice of prior redemption or otherwise fixed and designated by the City.

**"Redemption Price"** means, when used with respect to a Bond or other designated security payable from any Pledged Revenues, the principal amount thereof plus the applicable premium, if any, payable upon the redemption thereof prior to the stated maturity date of such Bond or other security on a Redemption Date in the manner contemplated in accordance with the security's terms.

**"Registrar"** means the City Treasurer, or any successor paying agent for the Bonds which may be appointed by the Council.

**"Regular Record Date"** means the 15<sup>th</sup> day of the calendar month next preceding each interest payment date.

**"Special Record Date"** means a special date fixed by the Paying Agent to determine the names and addresses of owners of the Bonds for the payment of any defaulted interest on any of the Bonds, as further provided in ' 302 hereof. At least 10 days' notice will be given by the Paying Agent by first-class regular mail to each owner of a Bond as stated on the Registrar's registration list at the close of business on a date fixed by the Paying Agent, stating the date of the Special Record Date and the due date fixed for the payment of such defaulted interest.

**"State"** means the State of Nevada, in the United States.

**"subordinate bonds"** or **"subordinate securities"** means bonds or securities which have a lien on the Pledged Revenues that is subordinate and junior to the lien thereon of the Bonds.

**"superior bonds"** or **"superior securities"** means bonds or securities which have a lien on the Pledged Revenues that is superior to the lien thereon of the Bonds.

**"Tax Code"** means the Internal Revenue Code of 1986, as amended, to the date of delivery of the Bonds.

**"Taxes"** means General Taxes.

**"trust bank"** means a "commercial bank," as defined herein, which bank is authorized to exercise and is exercising trust powers, and also means any branch of the Federal Reserve Bank.

E. **Construction.** This Ordinance, except where the context by clear implication herein otherwise requires, shall be construed as follows:

(1) Words in the singular number include the plural, and words in the plural include the singular.

(2) Words in the masculine gender include the feminine and the neuter, and when the sense so indicates words of the neuter gender refer to any gender.

(3) The titles and leadlines applied to articles, sections, subsections and paragraphs of this Ordinance are inserted only as a matter of convenience and ease in reference and in no way define, limit or describe the scope or intent of any provisions of this Ordinance.

(4) Any securities payable from any Pledged Revenues and held by the City shall not be deemed to be Outstanding for the purpose of redemption nor

Outstanding for the purpose of consents hereunder or for other purposes provided herein.

Section 103. Successors. Whenever herein the City is named or is referred to, such provision shall be deemed to include any successors of the City, respectively, whether so expressed or not. All of the covenants, stipulations, obligations and agreements by or on behalf of and other provisions for the benefit of the City contained herein shall bind and inure to the benefit of any officer, board, district, commission, authority, agent or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the City or of their respective successors, if any, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements or other provisions hereof.

Section 104. Parties Interested Herein. Except as herein otherwise expressly provided, nothing herein expressed or implied confers upon or gives to any Person (other than the Paying Agent, the owners from time to time of the Bonds, and the owners of any other securities payable from Pledged Revenues when reference is expressly made thereto, as well as the City) any right, remedy or claim under or by reason hereof or any covenant, condition or stipulation hereof. All the covenants, stipulations, promises and agreements herein contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Paying Agent, any owner of any Bonds and any owner of any such other security in the event of such a reference.

Section 105. Ratification. All action heretofore taken (not inconsistent with the provisions of this Ordinance) by the City, the officers of the City, and otherwise by the City directed toward the Project and toward the sale of the Bonds to the Purchaser for that purpose, hereby is ratified, approved and confirmed.

Section 106. Ordinance Irrepealable. After any of the Bonds are issued, this Ordinance shall constitute an irrevocable contract between the City and the owner or owners of the Bonds; and this Ordinance (subject to the provisions of ' 1001 and of Article XII hereof), if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, except as herein otherwise expressly provided.

Section 107. Repealer. All bylaws, orders and other instruments, or parts thereof, inconsistent herewith are hereby repealed to the extent only of the inconsistency. This repealer shall not be construed to revive any bylaw, order or other instrument, or part thereof, heretofore repealed.

Section 108. Severability. If any section, subsection, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Section 109. Publication of Proposed Ordinance. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

**BILL NO.**

**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 March 2, 2005, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on March 16, 2005.

/s/ Barbara Jo Ronemus  
City Clerk

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

Section 110. Publication After Adoption of Ordinance; Effective Date. 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 Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

**ORDINANCE NO.**

**(of Las Vegas, Nevada)**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN**, and that such Ordinance was proposed on March 2, 2005, and was passed at the meeting held on March 16, 2005, by the following vote of the City Council:

Those Voting Aye:

Oscar Goodman  
Larry Brown  
Gary Reese  
Michael McDonald  
Lynette Boggs-McDonald  
Michael Mack  
Lawrence Weekly

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_, 2005.

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

DATED this March 16, 2005.

/s/ Oscar Goodman  
Mayor

Attest:

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication)

## ARTICLE II

### CITY'S DETERMINATIONS, AUTHORITY FOR AND AUTHORIZATION OF PROJECT, NECESSITY OF PROJECT AND BONDS, PROJECT COST, AND OBLIGATION OF CITY

Section 201. Authorization for this Ordinance. This Ordinance is adopted by virtue of the Project Act and the Bond Act and pursuant to their provisions; and the City has ascertained and hereby determines that each and every matter and thing as to which provision is made herein is necessary in order to carry out and to effectuate the purposes of the City in accordance with the Project Act and the Bond Act, and as provided in NRS 350.708 all limitations in the Bond Act imposed upon the issuance of bonds or other securities thereunder have been met and the total cost of the Project has been and hereby is approved.

Section 202. Life of the Project. The City has determined and does hereby declare:

A. Estimated Life. The estimated life or estimated period of usefulness of the Project to be acquired with the proceeds of the Bonds is not less than 10 years; and

B. Bond Term. The Bonds shall mature at times not exceeding such estimated life or estimated period of usefulness.

Section 203. Necessity of Project and Bonds. It is necessary and for the best interests of the City and the inhabitants thereof that the City effect the Project and defray the cost thereof by issuing the Bonds therefor; and it is hereby so determined and declared.

Section 204. Authorization of Use of Preliminary and Final Official Statements. The distribution and use of a Preliminary Official Statement for the Bonds is hereby authorized. The distribution, use of and execution of the Final Official Statement for the Bonds in substantially the form of the Preliminary Official Statement, with such amendments, additions and deletions as are consistent with the facts and not inconsistent herewith as may be approved by the Finance Director, is hereby authorized. The Finance Director is authorized to deem the Preliminary Official Statement to be "final" for the purposes of Rule 15c2-12 of the United States Securities Exchange Commission.

Section 205. Authorization of Project and Escrow Agreement. The City does hereby determine to proceed with the Project and the Project is hereby so authorized. The Finance Director is hereby authorized to execute and deliver on behalf of the City the Escrow Agreement

between the City and the Escrow Agent in substantially the form now on file with the Finance Director, with such changes as designated by the Finance Director which are consistent with the provisions of this Ordinance.

Section 206. Bonds Equally Secured. The covenants and agreements herein set forth to be performed on behalf of the City shall be for the equal benefit, protection and security of the owners of any and all of the Outstanding Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof, except as otherwise expressly provided in or pursuant to this Ordinance.

Section 207. General Obligations. The full faith and credit of the City are hereby pledged to the payment of the Bond Requirements of the Bonds. The Bonds shall constitute general obligations of the City and shall be payable from General Taxes on all taxable property within the City (except to the extent any Pledged Revenues or other moneys are available therefor), subject to the limitations imposed by the Constitution and statutes of the State.

Section 208. Additional Security. The payment of the Bond Requirements of the Bonds is additionally secured by an irrevocable pledge of and by a lien (but not necessarily an exclusive lien) on the Pledged Revenues, subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities.

Section 209. No Pledge of Property. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except the proceeds of General Taxes, the Pledged Revenues, and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exceptions, shall be liable to be forfeited or taken in payment of the Bonds.

Section 210. No Recourse Against Officers and Agents. No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the City or any officer or other agent of the City, past, present or future, either directly or indirectly through the City or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the

acceptance of the Bonds and as a part of the consideration of their issuance specially waived and released.

Section 211. Sale of Bonds; Bid by Financial Advisor. The Finance Director is authorized to sell the Bonds and sign a binding contract therefor with the Purchaser. The City hereby consents to any affiliate of Nevada State Bank Public Finance, the City's financial advisor, submitting a bid for the Bonds at their public sale.

### ARTICLE III

#### AUTHORIZATION, TERMS, EXECUTION AND ISSUANCE OF BONDS

Section 301. Authorization of Bonds. The "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2005B," in the aggregate principal amount designated in the Certificate of the Finance Director (not to exceed the aggregate principal amount necessary to effect the Project), are hereby authorized to be issued, pursuant to the Project Act and the Bond Act. The City pledges irrevocably, but not necessarily exclusively, the Pledged Revenues to the payment of the Bond Requirements of the Bonds, the proceeds of the Bonds to be used solely to defray wholly or in part the cost of the Project.

Section 302. Bond Details. The Bonds shall be issued payable in fully registered form, i.e., registered as to both principal and interest and shall be dated as of the first day of the month of the date of delivery of the Bonds. Except as provided in ' 307 hereof, the Bonds shall be issued in the denominations of \$5,000 and any integral multiples thereof (but no Bond may be in a denomination which exceeds the principal coming due on any maturity date, and no individual Bond will be issued for more than one maturity). The Bonds shall bear interest from their date until their respective maturity dates (or, if redeemed prior to maturity as provided below, their redemption dates) at the respective rates set forth in the Certificate of the Finance Director, and payable semiannually on June 1 and December 1 of each year commencing on December 1, 2005; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth in the Certificate of the Finance Director from the most recent interest payment date to which interest has been paid, or if no interest has been paid, from the date of the Bonds. The

Bonds shall mature on December 1 in each of the designated amounts of principal and designated years in the Certificate of the Finance Director.

Section 303. Bond Details. The principal of and redemption premium, if any, on any Bond, shall be payable to the registered owner thereof as shown on the registration records kept by the Registrar, upon maturity or prior redemption thereof and upon presentation and surrender at the Paying Agent or at such other office as designated by the Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by the Bond until the principal thereof is paid in full. Except as provided in ' 307 hereof, payment of interest on any Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof at his or her address as shown on the registration records kept by the Registrar at the close of business on the Regular Record Date for such interest payment date. Any such interest which not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner thereof at the close of business on the Regular Record Date and shall be payable to the person who is the registered owner thereof at the close of business on a Special Record Date for the payment of any such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever money becomes available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the Bonds not less than 10 days prior thereto by first-class mail to each such registered owner as shown on the Registrar's registration records on a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed upon between the owner of such Bond and the Paying Agent. All such payments shall be made in lawful money of the United States of America.

Section 304. Prior Redemption or Prepayment.

A. Optional Redemption or Prepayment. Bonds, or portions thereof (\$5,000 or any integral multiple), maturing on and after the date specified in the Certificate of the Finance Director, shall be subject to redemption prior to their respective maturities, at the option of the City, at any time on and after the date

specified in the Certificate of the Finance Director, in whole or in part from any maturities selected by the City and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to the principal amount of each bond, or portion thereof, so redeemed, accrued interest thereon to the redemption date, and a premium, if any, as provided in the Certificate of the Finance Director.

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

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for redemption (by lot or in such other manner as the Registrar may determine) from all Outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in subsection D of this Section.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) which prior to said date have been

redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the respective Term Bonds or portions thereof to be canceled or in the event the Bonds are registered in the name of Cede & Co. as provided in Section 307 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, except as otherwise provided in Section 18 hereof, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. In the case of a partial redemption of Bonds of a single maturity pursuant to Subsections A or B of this Section, the Paying Agent shall select the Bonds to be redeemed by lot at such time as directed by the City (but at least 30 days prior to the redemption date), and if such selection is more than 60 days before a redemption date, except as otherwise provided in Section 307 hereof, shall direct the Registrar to appropriately identify the Bonds so called for redemption by stamping them at the time any Bond so selected for redemption is presented to the Registrar for stamping or for transfer or exchange, or by such other method of identification as deemed adequate by the Registrar, and any Bond or Bonds issued in exchange for, or to replace, any Bond or Bonds so called for prior redemption shall likewise be stamped or otherwise identified.

D. Notice of Redemption. Unless waived by any owner of Bonds to be redeemed for purchase, official notice of any such redemption shall be given by the Registrar, on behalf of the City, by mailing a copy of an official redemption notice by registered or certified mail so long as Cede & Co. is the registered owner of the Bonds and the Municipal Securities Rulemaking Board ("MSRB") and otherwise by first class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such registered owner to the Registrar. Actual receipt of mailed notice by any owner of Bonds or the MSRB shall not be a condition precedent to redemption of such Bond or Bonds. Failure to give such notice to the MSRB or the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. A certificate by the Registrar that such notice has been given as herein provided shall be conclusive against all parties.

All official notices of redemption shall be dated and shall state:

1. the redemption date,
2. the purchase prices,
3. the identification by maturity (and, in the case of partial redemption of a maturity, other appropriate identification) of the Bonds to be redeemed,
4. that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
5. the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent (accrued interest to the redemption date being payable by mail or as otherwise provided in this Ordinance).

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date

(unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

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

Section 305. Negotiability. Subject to ' 307 hereof and to the registration provisions provided herein, the Bonds shall be fully negotiable within the meaning of and for the purposes of the Uniform Commercial Code--Investment Securities, and each owner shall possess all rights enjoyed by owners of negotiable instruments under the Uniform Commercial Code--Investment Securities.

Section 306. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in ' 307 hereof:

A. Registration and Transfer. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender for transfer of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of

Bonds of the same maturity of other authorized denominations, as provided in ' 302 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the City or the Registrar may make a sufficient charge to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating each new Bond. No such charge shall be levied in the case of an exchange resulting from an optional or mandatory prior redemption of a Bond.

B. Limitations upon Registration. The Registrar shall not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business 15 days before the day of the mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the day of such mailing, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for redemption as herein provided.

C. Effect of Registration. The person in whose name any Bond shall be registered, in the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of making payments thereof (except to the extent otherwise provided in ' 302 hereof with respect to interest payments) and for all other purposes; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitation provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

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

E. Cancellation of Bond upon Payment or Reissuance. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the City Treasurer and the City.

Section 307. Custodial Deposit.

A. Notwithstanding the foregoing provisions of ' ' 302 to 306 hereof, the Bonds shall initially be evidenced by one Bond for each year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

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

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this subsection A, or a determination by the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable to the City and to the depository then holding the Bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS ' 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository; or

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this subsection A, or a

determination of the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of subsection A hereof or designation of a new depository pursuant to clause (2) of subsection A hereof, upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity of the Bonds then Outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the Bonds as provided in clause (3) of subsection A hereof, and upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 or any integral multiple thereof, as provided in and subject to the limitations of ' 302 hereof, registered in the names of such Persons, and in such denominations as are requested in such written transfer instructions: however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

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

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

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

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

Section 308. Execution of Bonds. The Bonds shall be executed as follows:

A. Filings with Secretary of State. Pursuant to the Bond Act, and to the act cited as the Uniform Facsimile Signatures of Public Officials Act, cited as chapter 351 of NRS, and prior to the execution of any Bonds, the Mayor, the City Clerk and the City Treasurer shall each file with the Secretary of State of the State his or her manual signature certified by him or her under oath.

B. Manner of Execution. Each Bond shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile of the signature of the Mayor shall be countersigned and executed with the manual or facsimile of the signatures of the City Treasurer and shall be authenticated with the manual or facsimile impression of the official seal of the City; and shall be signed, executed, and attested with such a manual or facsimile signature of the City Clerk.

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

Section 309. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the City, notwithstanding that before the delivery thereof and the payment therefor any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Each of the

Mayor, the City Treasurer and City Clerk, at the time of the execution of the Bonds and of a signature certificate pertaining thereto by the Mayor, the City Treasurer and the City Clerk, respectively, may adopt as and for his or her own facsimile signature the facsimile signature of his or her predecessor in office if such facsimile signature appears upon any of the Bonds.

Section 310. Incontestable Recital in Bonds. Pursuant to ' 350.628, Bond Act, each Bond shall recite that it is issued pursuant to the Project Act, to the Bond Act, and to the Supplemental Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

Section 311. State Tax Exemption. Pursuant to ' 350.710, Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof, except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to chapter 375B of NRS.

Section 312. Bond Execution. The Mayor, the City Treasurer, and the City Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

Section 313. Bond Delivery. After registration of the Bonds by the City Treasurer and Registrar pursuant to ' 306 and after their execution and authentication pursuant to ' 308 and other provisions herein supplemental thereto, the City Treasurer shall cause the Bonds to be delivered to the Purchaser thereof, upon payment being made therefor on the terms of the sale of the Bonds.

Section 314. Bond Form. Subject to the provisions of this Ordinance, each Bond shall be in substantially the following form with such omissions, insertions, endorsements, and variations as to any recitals of fact or other provisions as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

**CITY OF LAS VEGAS, NEVADA  
GENERAL OBLIGATION (LIMITED TAX)  
VARIOUS PURPOSE REFUNDING BOND  
(ADDITIONALLY SECURED BY PLEDGED REVENUES)  
SERIES 2005B**

NO. \_\_\_\_\_

\$ \_\_\_\_\_

Interest Rate

\_\_\_\_% per annum

Maturity Date

\_\_\_\_\_ 1, \_\_

Dated As Of

\_\_\_\_\_, 2005

CUSIP

REGISTERED OWNER: **\*\*CEDE & CO.\*\***

PRINCIPAL AMOUNT:

DOLLARS

The City of Las Vegas in the County of Clark and in the State of Nevada (the "City" the "County," and the "State", respectively), for value received hereby acknowledges itself to be indebted and promises to pay to the Registered Owner specified above the Principal Amount specified above, on the Maturity Date specified above (unless called for earlier redemption), and to pay interest thereon on June 1 and December 1 of each year commencing on December 1, 2005, at the Interest Rate per annum specified above, until the principal sum is paid or payment has been provided therefor. This Bond will bear interest from the most recent interest payment date to which interest has been paid or provided for, or, if no interest has been paid, from the date of this Bond. The principal of and redemption premium, if any, on this Bond are payable to the Registered Owner hereof upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds or any successor (the "Paying Agent"), presently the Treasurer of the City of Las Vegas, Nevada, which is also now acting as the City's registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), by check or draft mailed to the person in whose name this Bond is registered (the "Registered Owner") in the registration records of the City maintained by the Registrar and at the address appearing thereon at the close of business on the 15<sup>th</sup> day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of any defaulted interest. Such Special Record Date shall be fixed by the Paying Agent for the Bonds whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the Registered Owners of the Bonds of the series of which this is one

(the "Bonds") not less than ten days prior thereto. All payments of the principal of, interest on and redemption premiums, if any, due in connection with this Bond (the "Bond Requirements") shall be made in lawful money of the United States of America without deduction for the services of the Paying Agent, as provided in the City's ordinance designated by the short title "2005B Various Purpose Refunding Bond Ordinance," adopted and approved on \_\_\_\_\_, 2005 authorizing the issuance of the Bonds (the "Ordinance") and the Certificate of the Director of Finance pertaining thereto (the "Certificate").

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

\*The Registrar will not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business 15 days before the day of the mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the day of such mailing, or (ii) any Bond after the mailing of notice calling such Bond or any portion thereof for prior redemption.\*

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

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

\*In the case of Bonds of a denomination larger than \$5,000, a portion of such Bond (\$5,000 of the principal amount thereof, or any integral multiple thereof) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. Redemption shall be made upon not less than thirty (30) days' prior notice as provided in the Ordinance.\*

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

This Bond must be registered in the name of the Registered Owner as to both principal and interest on the registration records kept by the Registrar in conformity with the

provisions stated herein and endorsed hereon and subject to the terms and conditions set forth in the Ordinance. No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the Registered Owner or his attorney duly authorized in writing.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of making payment (except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest) and for all other purposes and the City, and Paying Agent and Registrar shall be not affected by notice to the contrary.

The Bonds are issued by the City and upon the credit thereof, for the purpose of refunding certain outstanding bonds of the City, under the authority of and in full conformity with the Constitution and laws of the State and the City and pursuant to the Ordinance.

It is hereby certified, recited and warranted that the total indebtedness of the City, including that of this Bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State; that provision has been made for the levy and collection of annual general (ad valorem) taxes ("General Taxes") sufficient to pay the Bond Requirements of this Bond when the same become due (except to the extent other moneys are available therefor), subject to the limitations imposed by the Constitution and statutes of the State; and that the full faith and credit of the City are hereby irrevocably pledged to the punctual payment of the Bond Requirements according to the terms of this Bond.

The payment of the Bonds, as to all Bond Requirements, is additionally secured by an irrevocable pledge of revenues derived by the City from the Pledged Revenues (as defined in the Ordinance).

Payment of the Bond Requirements due in connection with the Bonds may be made from and as security for such payment there is irrevocably and exclusively pledged, pursuant to the Ordinance, a special account thereby created and identified as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," into which account the City covenants to pay from the revenues derived from the Pledged Revenues sums sufficient to pay when due the Bond Requirements of the Bonds, except to the extent other moneys are available therefor.

The Bonds are equitably and ratably secured by a lien on the Pledged Revenues and the Bonds constitute an irrevocable lien (but not necessarily an exclusive lien) upon the Pledged Revenues, on a parity with the lien on the Pledged Revenues of the parity securities and subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities. Bonds and other securities, in addition to the Bonds, subject to expressed conditions, may be issued and made payable from the Pledged Revenues having a lien thereon subordinate and junior to the lien or, subject to additional expressed conditions, having a lien thereon superior to or on a parity with the lien, of the Bonds, in accordance with the provisions of the Ordinance.

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

Reference is made to the Ordinance, NRS Chapter 377, as amended from time to time, to the City Charter, as amended from time to time, to an act cited as NRS 350.500 through 350.720, and all laws amendatory thereof, designated in section 350.500 thereof as the Local Government Securities Law, to Chapter 348 of NRS (the "Supplemental Bond Act"), and to all laws supplemental thereto, for an additional description of the nature and extent of the security for the Bonds, the General Taxes, accounts, funds and revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the owners of the Bonds with respect thereto, the terms and conditions upon which the Bonds are issued, and a statement of rights and remedies of the owners of the Bonds.

The Bonds are issued pursuant to the Project Act, the Local Government Securities Law, and the Supplemental Bond Act, and pursuant to NRS 350.628, Local Government Securities Law, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to NRS 350.710, Local Government Securities Law, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation-skipping transfers imposed pursuant to chapter 375B of NRS.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance or any instrument amendatory thereof or supplemental thereto may be modified or amended by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance. The pledge of revenues and other obligations of the City under the Ordinance may be discharged at or prior to the respective maturities of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Ordinance.

It is further certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this Bond; that it is issued pursuant to and in strict conformity with the Constitution and laws of the State, particularly under the terms and provisions of the Project Act, the Local Government Securities Law, the Supplemental Bond Act, and all laws supplemental thereto, and with the Ordinance; and that this Bond does not contravene any constitutional or statutory limitation.

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

This Bond shall not be valid or obligatory for any purpose until a manual signature of a duly authorized officer of the Registrar has been affixed on the certificate of authentication hereon.

IN WITNESS WHEREOF, the City has caused this Bond to be signed and executed in its name and upon its behalf with the manual or facsimile signature of the Mayor, to be countersigned and executed with the manual or facsimile signature of the City Treasurer and has caused a manual impression or a facsimile of the seal of the City to be affixed hereon; and has caused this Bond to be signed, executed and attested with the manual or facsimile signature of the City Clerk, all as of the date written above.

CITY OF LAS VEGAS, NEVADA

(Manual or Facsimile Signature)

Mayor  
Las Vegas, Nevada

Countersigned:

(Manual or Facsimile Seal)

(Manual or Facsimile Signature)

City Treasurer

Attest:

(Manual or Facsimile Signature)

City Clerk

\* Insert only if Bonds are delivered pursuant to Section 307(A)(3) of this Ordinance.

\*\* Insert only if Bonds are initially delivered to the Depository Trust Company pursuant to Section 307(A) of this Ordinance.

(End of Form of Bond)

(Form of Certificate of Authentication for Bonds)

Date of authentication  
and registration: \_\_\_\_\_

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

CITY OF LAS VEGAS, NEVADA,  
CITY TREASURER  
as Registrar

By: \_\_\_\_\_ (Manual Signature)  
Authorized Officer

(End of Form of Certificate of Authentication for Bonds)

[insert statement of insurance, if any]

**\*(Form of Assignment for Bonds)**

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

\_\_\_\_\_  
Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Name and address of transferee:

\_\_\_\_\_

\_\_\_\_\_

Social Security or other tax  
identification number of  
transferee:

\_\_\_\_\_

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever. Signature(s) must be guaranteed by an eligible guarantor institution as defined in 17 CFR 240.17Ad-15(a)(2).

**(End of Form of Assignment for Bonds)\***

ARTICLE IV  
USE OF BOND PROCEEDS

Section 401. Disposition of Bond Proceeds. The proceeds of the Bonds upon the receipt thereof at any time or from time to time, shall be accounted for in the following manner and priority and are hereby pledged therefor:

A. Bond Fund. First, if not needed for the Cost of the Project, there shall be credited to a separate and special account hereby created and to be known as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Pledged Revenues, Interest and Principal Retirement Fund," all moneys, if any, received as accrued interest and premium, if any, on the Bonds from their sale by the City from the date of the Bonds to the date of their delivery to the Purchaser, to apply to the payment of interest on the Bonds as the same becomes due after their delivery, in accordance with ' 604 hereof. Such Bond Fund shall be maintained by the City Treasurer separate and apart from all other City funds, including the Income Fund.

A. Escrow Account. Second, Bond proceeds, together with other available monies, if any, in an amount sufficient to effect the refunding of the Refunded Bonds shall be deposited in the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Escrow Account" to be held by the Escrow Agent an amount fully sufficient to establish, together with any other moneys therein (including any monies deposited therein from the debt service fund for the Refunded Bonds), any initial cash balance remaining uninvested and to buy the Federal Securities designated in the Escrow Agreement for credit to the Escrow Account, to be used solely for the purpose of paying the Bond Requirements of the Refunded Bonds as provided in the Escrow Agreement.

B. Cost of Issuance Account. Third, the balance remaining after the deposit into the Escrow Account and Bond Fund as provided above shall be set aside in a special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B Cost of Issuance Account" (the "Cost of Issuance Account"), to be used to pay the incidental costs of the Project. After all incidental expenses have been paid, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys)

remaining in the Cost of Issuance Account shall be deposited into the Bond Fund for the respective payment of the principal of or interest on the Bonds as the same become due.

**Section 402. Maintenance of the Escrow Account.**

A. The Escrow Account shall be maintained by the City in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities, to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the redemption date for the Refunded Bonds; and to redeem, on such date (as set forth in the Escrow Agreement), the Refunded Bonds then outstanding, in accordance with the resolution of the Board authorizing the issuance of the Refunded Bonds.

B. Moneys shall be withdrawn by the Escrow Agent from the Escrow Account in sufficient amounts and at such times to permit the payment without default of interest due in connection with the Refunded Bonds, and in accordance with the provisions of the Escrow Agreement. The Escrow Agent shall cause the notices of defeasance and calls for prior redemption of the then outstanding Refunded Bonds to be effected. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the City as the Board may hereafter determine.

C. If for any reason the amount in the Escrow Account shall at any time be insufficient for its purpose, the City shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal, interest and redemption premiums due in connection with the Refunded Bonds as herein provided.

**Section 403. Redemption of Refunded Bonds.** The City hereby irrevocably elects to call for prior redemption the Refunded Bonds on the redemption date, at the price and premium, if any, all as set forth in the Escrow Agreement in accordance with the Certificate of the Finance Director. The registrars for the Refunded Bonds are authorized to give notices of prior redemption and defeasance of the Refunded Bonds in accordance with the terms of the Escrow Agreement, this Resolution and the bond ordinance authorizing the issuance of the Refunded Bonds.

Section 404. Prevention of Bond Default. The City Treasurer shall use any Bond proceeds credited to the Cost of Issuance Account without further order or warrant, to pay the Bond Requirements of the Bonds as the same become due whenever and to the extent moneys in the Bond Fund or otherwise available therefor are insufficient for that purpose, unless the Bond proceeds shall be needed to defray obligations accrued and to accrue under any contracts then existing and relating to the Project. The City Treasurer shall promptly notify the Finance Director of any such use. Any moneys so used shall be restored to the Cost of Issuance Account, from the first Pledged Revenues thereafter received and not needed to meet the requirements provided in ' ' 603 through 607 hereof.

Section 405. Completion of Project. When any amounts in the Cost of Issuance Account are no longer needed to pay the Cost of the Project, the Finance Director shall cause to be transferred to the Bond Fund all surplus moneys remaining in the Cost of Issuance Account, if any, except for any moneys designated by the Finance Director to be retained to pay any unpaid accrued costs or contingent obligations and the sums so transferred shall be applied to the payment of the principal and interest due on the Bonds.

Section 406. Purchaser Not Responsible. The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the acquisition of the improvements, or any part thereof, or to the completion of the Project. The Purchaser, any associate thereof, and any subsequent owner of any Bonds shall in no manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys herein designated.

Section 407. Lien on Bond Proceeds. Until proceeds of the Bonds are applied as hereinabove provided the Bond proceeds (except Bond proceeds in the Escrow Account) shall be subject to a lien thereon and pledge thereof for the benefit of the owners of the Bonds from time to time as provided in ' 601 hereof.

ARTICLE V  
GENERAL TAXES

Section 501. General Tax Levies. Pursuant to ' 350.596, Bond Act, the Bond Requirements of the Bonds falling due at any time when there are not on hand from General Tax levies sufficient funds to pay the same, shall be paid out of the general fund of the City or out of any other funds that may be available for such purpose. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available for the payment of such Bond Requirements on other than a temporary basis) and for the purpose of the payment thereafter of the Bonds and the interest thereon, there are hereby created the separate and special accounts known respectively as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Principal Fund" (the "2005B General Tax Principal Fund" or the "General Tax Principal Fund") and as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, General Tax Interest Fund" (the "2005B General Tax Interest Fund" or the "General Tax Interest Fund"). Pursuant to ' 350.592 and 350.594, Bond Act, there shall be levied immediately after the issuance of the Bonds, and annually thereafter (if necessary to implement this Ordinance), until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City fully sufficient to reimburse such funds for such installments of Bond Requirements, together with the revenue which will result from application of the rate to the net proceeds of minerals, to pay the interest on the Bonds, and to pay and retire the same as hereinabove provided, and after there are made due allowances for probable delinquencies. The proceeds of the annual levies shall be duly credited to such separate accounts for the payment of the Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the City shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitations imposed by NRS 361.453 and ' 2, Article. 10, Nevada

Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the City.

Section 502. Priorities for Bonds. As provided in NRS 361.463 in any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City may exceed the limitation of \$3.64 on each \$100 of assessed valuation, or a lesser or greater amount fixed by the State board of examiners if the State board of examiners is directed by law to fix a lesser or greater amount for that Fiscal Year as provided in NRS 361.453, and it shall become necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitation of NRS 361.453.

Section 503. Correlation of Levies. Such General Taxes shall be levied and collected in the same manner and at the same time as other General Taxes are levied and collected, and the proceeds thereof for the Bonds shall be kept by the City Treasurer in the General Tax Principal Fund and in the General Tax Interest Fund, which shall be used for no other purpose than the payment of principal of and interest on the Bonds, and any other parity securities hereinafter issued in accordance with ' 910 hereof, respectively, as the same fall due.

Section 504. Use of General Fund. Any sums becoming due on the Bonds at any time when there are on hand from such tax levy or levies (and any other available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the Taxes herein provided for have been collected, pursuant to ' 350.596, Bond Act.

Section 505. Use of Other Funds. Nothing herein prevents the City from applying any funds (other than General Taxes) that may be available for that purpose to the payment of such interest or principal, as the same, respectively, mature, including, without limitation, the payment of

the Bonds as provided in ' 604 hereof and elsewhere herein, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to ' 350.598, Bond Act.

Section 506. Legislative Duties. In accordance with ' 350.592, Bond Act, and NRS 361.463, it shall be the duty of the City annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the City shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and interest thereon. Such General Taxes when collected shall be kept for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore provided.

Section 507. Appropriation of General Taxes. In accordance with ' 350.602, Bond Act, there is hereby specially appropriated the proceeds of the General Taxes to the payment of such principal and interest; and such appropriations shall not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the principal of and interest on the Bonds have been wholly paid.

## ARTICLE VI

### ADMINISTRATION OF AND ACCOUNTING FOR PLEDGED REVENUES

Section 601. Pledge Securing Bonds. Subject only to the right of the City to cause amounts to be withdrawn to pay the Cost of the Project as provided herein, all of the Pledged Revenues and all moneys and securities paid or to be paid to or held or to be held in any account under this article or under ' 401 hereof, excluding, however, all amounts held in the Escrow Account and the Rebate Fund, are hereby pledged to secure the payment of the Bond Requirements of the Bonds. This pledge shall be valid and binding from and after the date of the first delivery of any Bonds, and the moneys, as received by the City and hereby pledged, shall immediately be subject to the lien of this pledge without any physical delivery thereof, any filing, or further act, and the lien of this pledge and the obligation to perform the contractual provisions hereby made shall have

priority over any or all other obligations and liabilities of the City and, except for the Outstanding Prior Bonds and any Outstanding securities hereafter authorized the liens of which on the Pledged Revenues are superior to or on a parity with the lien thereon of the Bonds; and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City (except as herein otherwise provided) irrespective of whether such parties have notice thereof.

Section 602. Income Fund Deposits. So long as any of the Bonds shall be Outstanding, as to any Bond Requirements, the entire Pledged Revenues, upon their receipt from time to time by the City, shall continue to be set aside and credited immediately to a special fund heretofore created and designated as the "City of Las Vegas, Nevada, SCCRT Pledged Revenues Income Fund, Series 1993" (the "Income Fund"). Such Income Fund shall be maintained by the City Treasurer separate and apart from all other City funds, including the Bond Fund.

Section 603. Administration of Income Fund. So long as any of the Bonds hereby authorized shall be Outstanding, as to any Bond Requirements, each Fiscal Year the Income Fund shall be administered, and the moneys on deposit therein shall be applied in the following order of priority, all as provided in ' ' 604 through 608 hereof.

Section 604. Superior Bond Fund and Bond Fund Payments.

A. First, from any moneys in the Income Fund, i.e., from the Pledged Revenues, there shall be credited to any bond fund created to pay the principal of, interest on and prior redemption premiums, if any, due on any superior bonds or superior securities issued in accordance with the provisions of this Ordinance:

1. Monthly, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next maturing installment of interest on the superior bonds or superior securities, and monthly thereafter, commencing on each interest payment date, one-sixth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next

maturing installment of interest on the superior bonds or superior securities then outstanding.

2. Monthly, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next installment of principal of the superior bonds or superior securities coming due at maturity, and monthly thereafter, commencing on each principal payment date, one-twelfth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next installment of principal of the superior bonds or superior securities coming due at maturity, or, if any, an amount sufficient to pay the principal of, interest on and any prior redemption premiums due on the outstanding superior bonds or superior securities.

B. Second, subject to the provisions of ' 606 hereof, the following transfers shall be credited to the Bond Fund concurrently with the payments required for any Outstanding parity securities into the bond funds therefor, as required by the Ordinances authorizing those bonds:

1. Monthly, commencing on the first day of the month following the date of delivery of the Bonds, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, including, without limitation, the moneys, if any, provided in ' 401A hereof, to pay the next maturing installment of interest on the Bonds, and monthly thereafter, commencing on each interest payment date, one-sixth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next maturing installment of interest on the Bonds then Outstanding.

2. Monthly, commencing one year before the first principal maturity date of the Bonds, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, to pay the next installment of principal of the Bonds coming due at maturity, and monthly

thereafter, commencing on each principal payment date, one-twelfth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next installment of principal of the Bonds coming due at maturity, or pursuant to ' 303B hereof, if any.

The moneys credited to the Bond Fund shall be used to pay the Bond Requirements of the Bonds as the Bond Requirements become due, including any mandatory sinking fund payments pursuant to ' 303B hereof, if any.

Section 605. Termination of Deposits. No payment need be made into the Bond Fund, if the amount in the Bond Fund totals a sum at least equal to the entire amount of the Outstanding Bonds as to all Bond Requirements, to their respective maturities, and both accrued and not accrued, in which case moneys in that account in an amount at least equal to such Bond Requirements shall be used solely to pay such Bond Requirements as the same become due; and any moneys in excess thereof in those two accounts and any other moneys derived from the Pledged Revenues shall be applied as hereafter provided.

Section 606. Payment of Additional Securities. Third, and subject to the provisions hereinabove in this Article, but either prior to, concurrently with or subsequent to the payments required by ' 604 hereof, as provided in Article VIII hereof, any moneys remaining in the Income Fund may be used by the City for the payment of Bond Requirements of the Outstanding parity securities, additional bonds or other additional securities payable from the Pledged Revenues and hereafter authorized to be issued in accordance with Article VIII and any other provisions herein supplemental thereto, including reasonable reserves for such securities, as the same accrue. The lien of such additional bonds or other additional securities on the Pledged Revenues and the pledge thereof for the payment of such additional securities shall be superior to, on a parity with or subordinate to the lien and pledge of the Bonds as herein provided. Payments for bond and reserve funds for any superior securities shall be made concurrently with the payments for superior securities required by ' 604 hereof. Payments for bond and reserve funds for the Outstanding parity securities and additional parity securities shall be made concurrently with the payments for the Bonds required

by ' 604 hereof, but payments for bond and reserve funds for additional subordinate securities shall be made after the payments required by ' ' 604 and 607 hereof.

Section 607. Payment of Rebate. Fourth, and subject to the provisions hereinabove in this Article, there shall be transferred into the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Refunding Bonds, Series 2005B, Rebate Fund," hereby created, after making in full the monthly deposits required by ' ' 604 and 606, but prior to the transfer of any Pledged Revenues to the payment of subordinate securities, such amounts as are required to be deposited therein to meet the City's obligations under the covenant contained in ' 920 hereof, in accordance with Section 148(f) of the Tax Code. Amounts in the Rebate Fund shall be used for the purpose of making the payments to the United States required by such covenant and Section 148(f) of the Tax Code. Any amounts in the Rebate Fund in excess of those required to be on deposit therein by ' 920 hereof and Section 148(f) of the Tax Code may be withdrawn therefrom and used for any lawful purpose relating to the Project.

Section 608. Use of Remaining Revenues. After the payments hereinabove required to be made in this Article VI are made, any remaining Pledged Revenues in the Income Fund may be used at any time during any Fiscal Year whenever in the Fiscal Year there shall have been credited to the Bond Fund, to the Rebate Fund and to each other bond fund and reserve fund, if any, for the payment of any other securities payable from the Pledged Revenues, all amounts required to be deposited in those special accounts for such portion of the Fiscal Year, as hereinabove provided in this Article, for any one or any combination of lawful purposes relating to the Project, or otherwise, as the City may from time to time determine.

## ARTICLE VII

### GENERAL ADMINISTRATION

Section 701. Administration of Accounts. The special accounts designated in Articles IV and VI hereof shall be administered as provided in this Article, except the Escrow Account which shall be administered as provided in the Escrow Agreement.

Section 702. Places and Times of Deposits. Each of the special accounts hereinabove designated in Articles IV and VI hereof (except the Escrow Account) shall be maintained as a book account and kept separate from all other accounts as a trust account solely for the purposes herein designated therefor, and the moneys accounted for in such special book accounts shall be deposited in one bank account or more in a commercial bank or commercial banks as determined and designated by the City (except as otherwise expressly stated herein). Nothing herein prevents the commingling of moneys accounted for in any two or more book accounts relating to the Project or any other City accounts in any bank account or any investment in securities hereunder. Each bank account shall be continuously secured to the fullest extent required or permitted by the laws of the State for the securing of public funds and shall be irrevocable and not withdrawable by anyone for any purpose other than the respective designated purposes. Each periodic payment shall be credited to the proper book account not later than the date therefor herein designated, except that when any such date shall be a Saturday, a Sunday or a legal holiday, then the payment shall be made on or before the next preceding secular day. Notwithstanding any other provision herein to the contrary, moneys sufficient to pay the Bond Requirements then coming due on the Outstanding Bonds shall be deposited with the Paying Agents at least on the day of each interest payment date herein designated and, in any event, in sufficient time to make timely payment of such Bond Requirements.

Section 703. Investment of Moneys. Any moneys in any account designated in Articles IV and VI hereof (except the Escrow Account), and not needed for immediate use, may be invested or reinvested by the City Treasurer in any investments permitted under the laws of the State. For the purpose of any such investment or reinvestment, the securities shall be deemed to mature at the earliest date on which the obligor is, on demand, obligated to pay a fixed sum in discharge of the whole of such obligations.

Section 704. Required and Permissive Investments. The City Treasurer shall not have any obligation to make any investment or reinvestment hereunder, unless any moneys on hand and accounted for in any one account exceeds \$5,000 and at least \$5,000 therein will not be needed for a period of not less than 60 days. In that event the City Treasurer shall invest or reinvest in

securities to the extent practicable not less than substantially all the amount which will not be needed during such 60-day period, except for any moneys on deposit in an interest-bearing account in any commercial bank, regardless of whether such moneys are evidenced by a certificate of deposit or otherwise, pursuant to ' 707 hereof. The City Treasurer may invest or reinvest any moneys on hand at any time as provided in ' 703 hereof even though he is not obligated to do so.

Section 705. Accounting for Investments. The securities purchased as an investment or reinvestment of moneys in any such account shall be deemed at all times to be a part of the account and held in trust therefor. Except as herein otherwise provided, any interest or other gain in any account resulting from any such investments and reinvestments in securities and from any deposits of moneys in any commercial bank pursuant to this Article shall be credited to that Fund, and any loss in any account resulting from any such investments and reinvestments in securities and from any such deposits in any commercial bank shall be charged or debited to that Fund. No loss or profit in any account on any investments or reinvestments in securities or any certificates of deposit shall be deemed to take place as a result of fluctuations in the market quotations of the investments, reinvestments or certificates before the sale or maturity thereof. In the computation of the amount in any account for any purpose hereunder, except as herein otherwise expressly provided, securities and certificates of deposit shall be valued at the cost thereof (including any amount paid as accrued interest at the time of purchase of the obligation) and other bank deposits shall be valued at the amounts deposited, exclusive of any accrued interest or any other gain to the City until such gain is realized. The expenses of purchase, safekeeping, sale and all other expenses incident to any investment or reinvestment of moneys pursuant to this Article shall be accounted for as an expense of the Project and charged to the Cost of Issuance Account.

Section 706. Redemption or Sale of Investment Securities. The City Treasurer having jurisdiction over moneys designated herein shall present for redemption at maturity or sale on the prevailing market at the best price obtainable any securities and certificates of deposit so purchased as an investment or reinvestment of moneys in any account whenever it shall be necessary to do so in order to provide moneys to meet any withdrawal, payment or transfer from such account.

The City Treasurer and each other officer of the City shall not be liable or responsible for any loss resulting from any such investment or reinvestment made in accordance with this Ordinance.

Section 707. Character of Funds. The moneys in any account herein authorized shall consist either of lawful money of the United States or permitted securities, or both. Moneys deposited in a demand or time deposit account in or evidenced by a certificate of deposit of any commercial bank pursuant to ' 703 hereof, appropriately secured according to the laws of the State, shall be deemed lawful money of the United States.

Section 708. Accelerated Payments. Nothing contained in Article VI hereof prevents the accumulation in any account herein designated of any monetary requirements at a faster rate than the rate or minimum rate provided in Article VI therefor, as the case may be; but no payment shall be so accelerated if such acceleration shall cause the City to default in the payment of any obligation of the City relating to the Pledged Revenues or the Project. Nothing contained herein, in connection with the Pledged Revenues received in any Fiscal Year, requires the accumulation in any account for the payment of Bond Requirements due in connection with any series of bonds or other securities payable from the Pledged Revenues and heretofore, herein or hereafter authorized, in excess of the Bond Requirements required to be accumulated in that fiscal year, and of any reserves required to be accumulated and maintained therefor, and of any existing deficiencies, and payable from such account, as the case may be, except as may be otherwise provided in ' 604 or elsewhere herein.

Section 709. Payment of Securities Requirements. The moneys credited to any account designated in Article VI hereof for the payment of the Bond Requirements due in connection with any series of bonds or other securities payable from the Pledged Revenues and heretofore, herein or hereafter authorized shall be used, without requisition, voucher, warrant or further order or authority (other than is contained herein), or any other preliminaries, to pay promptly the Bond Requirements payable from such account as such bonds or other securities become due, upon the respective interest payment dates and Redemption Dates, if any, on which the City is obligated to pay the bonds or other securities, or upon the respective interest payment and maturity dates of such

bonds or other securities, as provided therefor herein or otherwise, except to the extent any other moneys are available therefor, including, without limitation, moneys accounted for in the Bond Fund.

Section 710. Payment of Redemption Premiums. Notwithstanding any other provision herein, this Ordinance requires the accumulation in any account designated in Article VI hereof for the payment of any series of bonds or other securities payable from the Pledged Revenues of amounts sufficient to pay not only the principal thereof and interest thereon payable from such account but also the prior redemption premiums due in connection therewith, if any, as the same become due, whenever the City shall have exercised or shall have obligated itself to exercise a prior redemption option relating thereto, except to the extent provision is otherwise made therefor, if any prior redemption premium is due in connection therewith. In that event moneys shall be deposited into such account in due season for the payment of all such Bond Requirements without default as the same become due.

#### ARTICLE VIII

#### SECURITIES LIENS AND ADDITIONAL SECURITIES

Section 801. Lien of Bonds. The Bonds authorized herein constitute an irrevocable lien (but not necessarily an exclusive lien) upon the Pledged Revenues, subject to and after any superior liens upon such Pledged Revenues of any superior bonds or superior securities.

Section 802. Equality of Bonds. The Bonds, the Outstanding parity securities and any parity securities hereafter authorized to be issued and from time to time Outstanding are equally and ratably secured by a lien on the Pledged Revenues and shall not be entitled to any priority one over the other in the application of the Pledged Revenues, regardless of the time or times of the issuance of the Bonds and any other such securities, it being the intention of the City that there shall be no priority among the Bonds and any such parity securities, regardless of the fact that they may be actually issued and delivered at different times.

Section 803. Issuance of Superior or Parity Securities. Nothing herein, subject to the limitations stated in ' ' 811 and 812 hereof, prevents the issuance by the City of additional bonds or other additional securities payable from the Pledged Revenues and constituting a lien thereon

superior to or on a parity with, the lien thereon of the Bonds, nor prevents the issuance of bonds or other securities refunding all or a part of the Bonds (or funding or refunding any other then Outstanding securities payable from Pledged Revenues), except as provided in ' ' 807 through 812 hereof; but before any such additional superior or parity bonds or other additional superior or parity securities are authorized or actually issued (excluding any superior or parity refunding securities other than any securities refunding subordinate bonds or other subordinate securities, as permitted in ' 810C hereof):

A. Absence of Default. At the time of the adoption of the supplemental instrument authorizing the issuance of the additional securities, the City shall not be in default in making any payments required by ' ' 604, 606 or 607 hereof with respect to any superior or parity securities.

B. Earnings Test. Except as hereinafter otherwise provided: (1) the Pledged Revenues derived in the Fiscal Year immediately preceding the date of the issuance of the additional superior or parity securities shall have been at least sufficient to pay an amount equal to the combined maximum annual principal and interest requirements (to be paid during any one Bond Year, commencing with the Bond Year in which the additional superior or parity securities are issued and ending on the first day of the Bond Year in which any then Outstanding Bonds last mature) of the Outstanding parity securities, Outstanding Bonds and any other Outstanding superior or parity securities of the City and the bonds or other securities proposed to be issued (excluding the reserves therefor); or, (2) the Pledged Revenues estimated by the Finance Director, independent feasibility consultant or an Independent Accountant to be derived in the first five Fiscal Years immediately succeeding the issuance of the other additional superior or parity securities proposed to be issued, shall be at least equal to such annual principal and interest requirements to be paid during such Fiscal Years.

C. Adjustment of Pledged Revenues. In any computation of such earnings test as to whether or not additional superior or parity securities may be issued as provided in subsection B of this Section, the amount of the Pledged Revenues for the next preceding Fiscal Year shall be decreased and may be increased by the amount of any loss or gain conservatively estimated by the

Finance Director, independent feasibility consultant or Independent Accountant making the computations under this Section, which loss or gain results from any change in rate of levy of the taxes and impositions provided in the Pledged Tax Acts which will result in a change in the amount of Pledged Revenues which change took effect during the next preceding Fiscal Year or thereafter prior to the issuance of such superior or parity securities, as if such modified rate shall have been in effect during the entire next preceding Fiscal Year, if such change shall have been made before the computation of the designated earnings test but made in the same Fiscal Year as the computation is made or in the next preceding Fiscal Year.

Section 804. Certification of Revenues. A written certification or written opinion by the Finance Director, an independent feasibility consultant or an Independent Accountant, based upon estimates thereby as provided in ' 803B and ' 803C hereof, that the annual revenues when adjusted as hereinabove provided in ' 803C hereof, are sufficient to pay such amounts as provided in ' 803B hereof, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional bonds or additional securities superior to or on a parity with the Bonds.

Section 805. Subordinate Securities Permitted. Nothing herein, subject to the limitations stated in ' ' 811 and 812 hereof, prevents the City from issuing additional bonds or other additional securities payable from the Pledged Revenues having a lien thereon subordinate, inferior and junior to the lien thereon of the Bonds.

Section 806. Superior Securities Permitted. Nothing herein, subject to the requirements stated in this Article VIII hereof, prevents the City from issuing additional bonds or other additional securities payable from the Pledged Revenues having a lien thereon prior and superior to the lien thereon of the Bonds; however, such additional superior bonds or other additional superior securities shall not be issued as general obligations of the City.

Section 807. Issuance of Refunding Securities. At any time after the Bonds, or any part thereof, are issued and remain Outstanding, if the City shall find it desirable to refund any Outstanding Bonds or other Outstanding securities payable from and constituting a lien upon any Pledged Revenues, such Bonds or other securities, or any part thereof, may be refunded only if the

Bonds or other securities at the time or times of their required surrender for payment shall then mature or shall be then callable for prior redemption for the purpose of refunding them at the City's option upon proper call, unless the owner or owners of all such Outstanding Bonds or other securities consent to such surrender and payment, regardless of whether the priority of the lien for the payment of the refunding securities on the Pledged Revenues is changed (except as provided in ' ' 806 and 808 through 812 hereof).

Section 808. Partial Refundings. The refunding bonds or other refunding securities so issued, unless issued as subordinate securities, shall enjoy complete equality of lien with the portion of any securities of the same issue which is not refunded, if there is any, and the owner or owners of the refunding securities shall be subrogated to all of the rights and privileges enjoyed by the owner or owners of the unrefunded securities of the same issue partially refunded by the refunding securities.

Section 809. Limitations Upon Refundings. Any refunding bonds or other refunding securities payable from any Pledged Revenues shall be issued with such details as the City may by instrument provide, subject to the provisions of ' ' 811 and 812 hereof, and subject to the inclusion of any such rights and privileges designated in ' 808 hereof, but without any impairment of any contractual obligation imposed upon the City by any proceedings authorizing the issuance of any unrefunded portion of the Outstanding securities of any one or more issues (including, without limitation, the Bonds).

Section 810. Protection of Securities Not Refunded. If only a part of the Outstanding Bonds and other Outstanding securities of any issue or issues payable from the Pledged Revenues is refunded, then such securities may not be refunded without the consent of the owner or owners of the unrefunded portion of such securities:

A. Requirements Not Increased. Unless the refunding securities do not increase for any Bond Year the annual principal and interest requirements evidenced by the refunding securities and by the Outstanding securities not refunded on and before the last maturity date or last Redemption Date, if any, whichever is later, if any, of the unrefunded securities, and unless the lien

of any refunding bonds or other refunding securities on the Pledged Revenues is not raised to a higher priority than the lien thereon of the bonds or other securities thereby refunded; or

B. Subordinate Lien. Unless the lien on any Pledged Revenues for the payment of the refunding securities is subordinate to each such lien for the payment of any securities not refunded; or

C. Default and Earnings Test. Unless the refunding bonds or other refunding securities are issued in compliance with ' 803 hereof (including subsections A through C thereof) and ' 804 hereof.

Section 811. Payment Dates of Additional Securities. Any additional superior, parity or subordinate bonds or other additional superior, parity or subordinate securities (including, without limitation, any funding or refunding securities) issued in compliance with the terms hereof shall bear interest payable at the times and shall mature on the dates designated by the City in the Supplemental Ordinance authorizing such securities as provided in ' 812 hereof.

Section 812. Supplemental Ordinance. Additional bonds or other additional securities payable from the Pledged Revenues shall be issued only after authorization thereof by a supplemental instrument of the City stating the purpose or purposes of the issuance of the additional bonds or other additional securities, directing the application of the proceeds thereof to such purpose or purposes, directing the execution thereof, and fixing and determining the date, principal amount, maturity or maturities, designation and numbers thereof, the maximum rate or rates of interest to be borne thereby, any prior redemption privileges of the City with respect thereto and other provisions thereof not in conflict with this Ordinance. All additional bonds or other additional securities shall bear such date, shall bear such numbers and series designation, letters or symbols prefixed to their numbers distinguishing them from each other security, shall be payable at such place or places at such times, may be subject to redemption prior to maturity on such terms and conditions, and shall bear interest at such rate or at such different and varying rates per annum, as may be fixed by instrument or other document of the City.

ARTICLE IX  
MISCELLANEOUS PROTECTIVE COVENANTS

Section 901. General. The City hereby particularly covenants and agrees with the owners of the Bonds and makes provisions which shall be a part of its contract with such owners to the effect and with the purposes set forth in the following provisions and sections of this article.

Section 902. Performance of Duties. The City shall faithfully and punctually perform or cause to be performed all duties with respect to the Pledged Revenues and the Project required by the Constitution and laws of the State and the various resolutions, ordinances and other instruments of the City, including, without limitation, the proper segregation of the proceeds of the Bonds and the Pledged Revenues and their application from time to time to the respective accounts provided therefor.

Section 903. Further Assurances. At any and all times the City, except when otherwise required by law, shall, so far as it may be authorized by law, pass, make, do, execute, acknowledge, deliver and file or record all and every such further instruments, acts, deeds, conveyances, assignments, transfers, other documents and assurances as may be necessary or desirable for the better assuring, conveying, granting, assigning and confirming all and singular the rights, the Pledged Revenues, and other moneys and accounts hereby pledged or assigned, or which the City may hereafter become bound to pledge or to assign, or as may be reasonable and required to carry out the purposes of this Ordinance and to comply with the Project Act, the Bond Act and all laws supplemental thereto. The City shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of the Pledged Revenues and other moneys and accounts pledged hereunder and all the rights of every owner of any Bonds against all claims and demands of all Persons whomsoever.

Section 904. Conditions Precedent. Upon the date of issuance of any Bonds, all conditions, acts and things required by the Constitution or statutes of the State, including without limitation, the Project Act and the Bond Act, or this Ordinance, to exist, to have happened, and to have been performed precedent to or in the issuance of the Bonds shall exist, have happened, and

have been performed; and the Bonds, together with all other obligations of the City, shall not contravene any debt or other limitation prescribed by the State Constitution or statutes.

Section 905. Covenant to Perform. The City shall observe and perform all of the terms and conditions contained in this Ordinance and the Project Act, the Bond Act and all laws supplemental thereto and shall comply with all valid acts, rules, regulations, orders and directives of any legislative, executive, administrative or judicial body applicable to the Project, to any such other facilities, or to the City.

Section 906. Protective Security. The City and the officers, agents and employees of the City shall not take any action in such manner or to such extent as might prejudice the security for the payment of the Bond Requirements of the Bonds and any other securities payable from the Pledged Revenues according to the terms thereof. No contract shall be entered into nor any other action taken by which the rights of any owner of any Bond or other security payable from the Pledged Revenues might be prejudicially and materially impaired or diminished.

Section 907. Accumulation of Interest Claims. In order to prevent any accumulation of coupons or claims for interest after maturity, the City shall not directly or indirectly extend or assent to the extension of the time for the payment of any coupon or claim for interest on any of the Bonds or any other securities payable from the Pledged Revenues; and the City shall not directly or indirectly be a party to or approve any arrangements for any such extension or for the purpose of keeping alive any of such coupons or other claims for interest. If the time for the payment of any such coupons or of any other such installment of interest shall be extended in contravention of the foregoing provisions, such coupon or installment or installments of interest after such extension or arrangement shall not be entitled in case of default hereunder to the benefit or the security of this Ordinance, except upon the prior payment in full of the principal of all Bonds and any such other securities then Outstanding and of all matured interest on such securities the payment of which has not been extended.

Section 908. Prompt Payment of Bonds. The City shall promptly pay the Bond Requirements of every Bond issued hereunder and secured hereby at the places, on the dates, and in the manner specified herein and in the Bonds according to the true intent and meaning hereof.

Section 909. Use of Bond Fund. The Bond Fund shall be used solely, and the moneys credited to such account are hereby pledged, for the purpose of paying the Bond Requirements of the Bonds, subject to the provisions concerning surplus moneys in ' ' 605, 608 and 1001 hereof.

Section 910. Additional Securities. Any other securities hereafter authorized to be issued and payable from the Pledged Revenues shall not hereafter be issued, unless the additional securities are also issued in conformance with the provisions of Articles VI and VIII hereof.

Section 911. Other Liens. Other than as provided herein, there are no liens or encumbrances of any nature whatsoever on or against the Project, or any part thereof, or on or against the Pledged Revenues derived or to be derived.

Section 912. Corporate Existence. The City shall maintain its corporate identity and existence so long as any of the Bonds remain Outstanding, unless another body corporate and politic by operation of law succeeds to the powers, privileges, rights, liabilities, disabilities, duties and immunities of the City and is obligated by law to fix and collect the Pledged Revenues as herein provided without adversely affecting to any substantial degree at any time the privileges and rights of any owner of any Outstanding Bond.

Section 913. City Treasurer's Report. If the City defaults in paying promptly the Bond Requirements of the Bonds and any other securities payable from the Pledged Revenues as the same fall due, or in the keeping of any covenants herein contained, and if such default continues for a period of 60 days, or if the Pledged Revenues in any Fiscal Year fail to equal at least the amount of the Bond Requirements of the Outstanding Bonds and any other securities (including all reserves therefor specified in the authorizing proceedings) payable from the Pledged Revenues in any such Bond Year, the City Treasurer shall (a) submit to the Council a report on such deficiency and a proposal setting forth a plan to produce Pledged Revenues in the following Fiscal Year sufficient to pay such amounts, to the extent practicable and (b) submit to the Council quarterly reports on the progress made in implementing the plan so long as such default continues or so long as the Pledged Revenues are less than the amount hereinabove designated in this Section.

Section 914. Budgets. The City and officials of the City shall annually and at such other times as may be provided by law prepare and adopt a budget relating to the Project.

Section 915. Amendments of Pledged Distributed Local Tax Act. The City shall not consent to any amendment of the Pledged Distributed Local Tax Act which would materially adversely affect the owners of the Bonds.

Section 916. Records. So long as any of the Bonds and any other securities payable from the Pledged Revenues remain Outstanding, proper books of record and account shall be kept by the City, separate and apart from all other records and accounts, showing complete and correct entries of all transactions relating to the Project or the Pledged Revenues, or to both. Such books shall include (but not necessarily be limited to) monthly records showing:

- A. Receipts. The revenues received from the Pledged Revenues, and
- B. Expenses. A detailed statement of the expenditures from the Pledged Revenues.

Section 917. Maintenance and Inspection of Records. All requisitions, requests, certificates, opinions and other documents received by any individual on behalf of the City in connection with the Project under the provisions of this Ordinance shall be retained in the City's official records. Any owner of any of the Bonds or any other securities payable from the Pledged Revenues, or any duly authorized agent or agents of such owner, or the Purchaser, shall have the right at all reasonable times to inspect all records, accounts and data relating thereto, concerning the Project and the Pledged Revenues, to make copies of such records, accounts and data.

Section 918. Tax Levies. The City annually shall levy, or cause to be levied, General Taxes on all taxable property in the City fully sufficient to pay the Bond Requirements of Outstanding Bonds (and any other indebtedness or other obligations of the City), except to the extent other revenues are available therefor, including, without limitation, the Pledged Revenues pledged for the payment of the Bonds, as the Bond Requirements accrue, reasonable allowance being made for delinquent tax collections anticipated at the time of each levy, at the time and in the manner provided by law for levying other Taxes; and the City and the Council shall require the officers of the City to levy, extend, and collect General Taxes in the manner provided by law for the purpose of

creating funds for the payment of the Bond Requirements of the Bonds, other indebtedness, or general obligations. General Taxes for the Bonds, when collected, shall be kept for and applied only to the payment of the Bond Requirements of the Bonds, as herein provided.

Section 919. Completion of Project. The City, with the proceeds derived from the sale of the Bonds and any other available moneys, shall proceed to cause the Project to be effected without delay to the best of the City's ability and with due diligence, as herein provided.

Section 920. Tax Covenant. The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any project financed or refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

## ARTICLE X MISCELLANEOUS

Section 1001. Defeasance. When all Bond Requirements of any of the Bonds have been duly paid, the pledge and lien and all obligations hereunder shall thereby be discharged and such Bonds shall no longer be deemed to be Outstanding within the meaning of this Ordinance. There shall be deemed to be due payment of any Outstanding Bonds or other securities when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from Federal Securities in which such amount wholly or in part may be initially invested) to meet all Bond Requirements of any

of the Bonds or other securities, as the same become due to the final maturities of the Bonds or other securities, or upon any Redemption Date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of Bonds or other securities for payment then. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the owners thereof to assure availability as so needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof.

Section 1002. Delegated Powers. The Mayor, the City Clerk and City Treasurer, and other officers and agents of the City hereby are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. Printing Bonds. The printing of the Bonds including, if applicable, a statement of insurance pertaining to the Bonds; and

B. Final Certificates. The execution of such certificates as may be reasonably required by the Purchaser, and the insurer, if any, relating, inter alia, to

- (1) The signing of the Bonds,
- (2) The tenure and identity of the officials of the City,
- (3) The delivery of the Bonds and the receipt of the bond purchase price,
- (4) The exclusion of the interest on the Bonds from gross income for federal income tax purposes,
- (5) If it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity therefor,
- (6) The accuracy and completeness of the statements made in the Final Official Statement, and

(7) The execution and delivery of the Certificate of the Finance Director, the Escrow Agreement and the Continuing Disclosure Certificate.

Section 1003. Statute of Limitations. No action or suit based upon the Bonds or other obligation of the City shall be commenced after it is barred by any statute of limitations relating thereto. Any trust or fiduciary relationship between the City and the owner of any Bonds or other obligee regarding any such other obligation shall be conclusively presumed to have been repudiated on the maturity date or other due date thereof unless the Bonds are presented for payment or demand for payment of any such other obligation is otherwise made before the expiration of the applicable limitation period. Any moneys from whatever source derived remaining in any account reserved, pledged or otherwise held for the payment of any such obligation, action or suit for the collection of which has been barred, shall revert to the Income Fund, unless the City shall otherwise provide by instrument of the City. Nothing herein prevents the payment of any such obligation after any action or suit for its collection has been barred if the City deems it in the best interests of the public to do so and orders such payment to be made.

Section 1004. Evidence of Ownership. Any request, consent or other instrument which this Ordinance may require or may permit to be signed and to be executed by the owner of any Bonds or other securities may be in one or more instruments of similar tenor and shall be signed or shall be executed by each such owner in person or by his or her attorney appointed in writing. Proof of the execution of any such instrument or of an instrument appointing any such attorney, or the holding by any Person of the securities, shall be sufficient for any purpose of this Ordinance (except as otherwise herein expressly provided) if made in the following manner, but the City may, nevertheless, in its discretion require further or other proof in cases when it deems the same desirable:

A. Proof of Execution. The fact and the date of the execution by any owner of any Bonds or other securities or his or her attorney of such instrument may be provided by the certificate, which need not be acknowledged or verified, of an officer of a bank or trust company satisfactory to the Paying Agent and Registrar or of and notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the

individual signing such request or other instrument acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before the notary public or other officer; the authority of the individual or individuals executing any such instrument on behalf of a corporate owner of any securities may be established without further proof if the instrument is signed by an individual purporting to be the president or a vice president of the corporation with a corporate seal affixed and attested by an individual purporting to be its secretary or an assistant secretary; and the authority of any Person or Persons executing any such instrument in any fiduciary or representative capacity may be established without further proof if the instrument is signed by a Person or Persons purporting to act in such fiduciary or representative capacity; and

B. Proof of Ownership. The ownership of any of the Bonds or other securities held by any Persons executing any instrument as a holder of securities, and the numbers, date and other identification thereof, together with the date of his or her holding the securities, shall be proved by the registration records at the City kept by the Registrar.

Section 1005. Warranty upon Issuance of Bonds. Any Bonds authorized as herein provided, when duly executed and delivered for the purpose provided for in this Ordinance shall constitute a warranty by and on behalf of the City for the benefit of each and every future holder of any of the Bonds that the Bonds have been issued for a valuable consideration in full conformity with law.

Section 1006. Immunities of Purchaser. The Purchaser and any associate thereof are under no obligation to any holder of the Bonds for any action that they may or may not take or in respect of anything that they may or may not do by reason of any information contained in any reports or other documents received by them under the provisions of this Ordinance. The immunities and exemptions from liability of the Purchaser and any associate thereof hereunder extend to their partners, directors, successors, employees and agents.

Section 1007. Police Power. Nothing herein prohibits or otherwise limits or inhibits the exercise by the Federal Government, the State, any agency thereof or any public body thereof, including, without limitation, the City, of the police power, i.e., essential governmental powers for the public welfare. The provisions hereof are subject to any proper exercise hereafter of the police

power thereby. The City cannot contract away the police power thereof nor limit or inhibit by contract the proper exercise of the police power thereby, and this Ordinance does not purport to do so.

Section 1008. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent so appointed shall resign, or if the City shall reasonably determine that the Registrar or Paying Agent has become incapable of performing its duties hereunder, the City may, upon notice mailed to each owner of any Bond at his or her address last shown on the registration records, appoint a successor Registrar or Paying Agent or both. Every such successor Registrar or Paying Agent shall be a trust bank. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. No resignation or dismissal of the Registrar or the Paying Agent may take effect until a successor is appointed. It shall not be required that the same person or institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same person or institution serve as both Registrar and Paying Agent. Any successor by merger with the Registrar and Paying Agent is automatically appointed as Registrar and Paying Agent hereunder without any further action of the Council, as long as the successor otherwise is qualified to act as Registrar and Paying Agent pursuant to this section. Any bank, trust company or national banking association into which the Registrar and/or Paying Agent or its successor may be converted, merged or with which it may be consolidated, or to which it may sell or otherwise transfer all or substantially all of its corporate trust business shall be the successor of the Registrar and/or Paying Agent under this Ordinance with the same rights, powers, duties and obligations and subject to the same restrictions, limitations, and liabilities as its predecessor, all without the execution or filing of any papers or any further act on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 1009. Continuing Disclosure Undertaking. The City covenants for the benefit of the holders and Beneficial Owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate substantially in the form on file with the City Clerk to be executed

and delivered by the Finance Director and the Finance Director is hereby authorized to execute such Certificate.

ARTICLE XI  
PRIVILEGES, RIGHTS AND REMEDIES

Section 1101. Bondowner's Remedies. Each owner of any Bond issued hereunder shall be entitled to all of the privileges, rights and remedies provided or permitted in the Project Act and the Bond Act, and as otherwise provided or permitted by law or in equity or by other statutes, except as provided in ' ' 207 through 211 hereof, but subject to the provisions herein concerning the pledge of and the covenants and the other contractual provisions concerning the Pledged Revenues and the proceeds of the Bonds.

Section 1102. Right to Enforce Payment. Nothing in this article affects or impairs the right of any owner of any Bond to enforce the payment of the Bond Requirements due in connection with his Bond or the obligation of the City to pay the Bond Requirements of each Bond to the owner thereof at the time and the place expressed in the Bond.

Section 1103. Events of Default. Each of the following events is hereby declared an "event of default":

A. Nonpayment of Principal and Premium. Payment of the principal of any of the Bonds, or any prior redemption premium due in connection therewith, or both, is not made when the same becomes due and payable, at maturity, on the mandatory redemption dates specified in ' 303B hereof, or by proceedings for optional prior redemption, or otherwise;

B. Nonpayment of Interest. Payment of any installment of interest on the Bonds is not made when the same becomes due and payable;

C. Incapable to Perform. The City for any reason is rendered incapable of fulfilling its obligations hereunder, excluding, however, any obligations pursuant to Section 1009 of this Ordinance;

D. Nonperformance of Duties. The City fails to carry out and to perform (or in good faith to begin the performance of) all acts and things lawfully required to be carried out or to be

performed by it under any contract relating to the Pledged Revenues, or otherwise, including, without limitation, this Ordinance, excluding, however, the provisions of Section 1009 of this Ordinance, and such failure continues for 60 days after receipt of notice from the owners of 10% in principal amount of the Bonds then Outstanding;

E. Appointment of Receiver. An order or decree is entered by a court of competent jurisdiction with the consent or acquiescence of the City appointing a receiver or receivers for the Pledged Revenues and any other moneys subject to the lien to secure the payment of the Bonds, or if an order or decree having been entered without the consent or acquiescence of the City is not vacated or discharged or stayed on appeal within 60 days after entry; and

F. Default of Any Provision. The City makes any default in the due and punctual performance of any other of the representations, covenants, conditions, agreements and other provisions contained in the Bonds or in this Ordinance on its part to be performed, except with respect to the provisions of Section 1009 of this Ordinance, and if the default continues for 60 days after written notice specifying the default and requiring the same to be remedied is given to the City by the owners of 10% in principal amount of the Bonds then Outstanding or the Purchaser of the Bonds.

Section 1104. Remedies for Default. Upon the happening and continuance of any of the events of default, as provided in ' 1103 hereof, then and in every case the owner or owners or not less than 10% in principal amount of the Bonds then Outstanding, including, without limitation, a trustee or trustees therefor, may proceed against the City and its agents, officers and employees to protect and to enforce the rights of any owner of Bonds under this Ordinance by mandamus or by other suit, action or special proceedings in equity or at law, in any court of competent jurisdiction, either for the appointment of a receiver or for the specific performance of any covenant or agreement contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as the owner or owners may deem most effectual to protect and to enforce the rights aforesaid, or thereby to enjoin any act or thing which may be unlawful or in violation of any right of any owner of any Bond, or to require the City to act as it if were the trustee of an express trust, or any combination of such remedies. All proceedings at law or in equity shall be

instituted, had and maintained for the equal benefit of all owners of the Bonds and any parity securities then Outstanding.

Section 1105. Receiver's Rights and Privileges. Any receiver appointed in any proceedings to protect the rights of owners hereunder, the consent to any such appointment being hereby expressly granted by the City, receive and apply all Pledged Revenues arising after the appointment of the receiver in the same manner as the City itself might do.

Section 1106. Rights and Privileges Cumulative. The failure of any owner of any Outstanding bond to proceed in any manner herein provided shall not relieve the City or any officers, agents or employees thereof of any liability for failure to perform or carry out any duty, obligation or other commitment. Each right or privilege of any owner (or trustee thereof) is in addition and is cumulative to any other right or privilege, and the exercise of any right or privilege by or on behalf of any owner shall not be deemed a waiver of any other right or privilege thereof.

Section 1107. Duties upon Defaults. Upon the happening of any of the events of default as provided in ' 1103 hereof, the City, in addition, shall do and perform all proper acts on behalf of and for the owners of the Bonds to protect and to preserve the security created for the payment of their Bonds and to insure the payment of the Bond Requirements promptly as the same become due. During any period of default, so long as any of the Bonds issued hereunder, as to any Bond Requirements, are Outstanding, except to the extent it may be unlawful to do so, all Pledged Revenues shall be paid into the 2005 Bond Fund, or, in the event of securities heretofore and hereafter issued and Outstanding during that period of time on a parity with the Bonds, shall be paid into the bond accounts for all parity securities on an equitable and prorated basis, and used for the purposes therein provided. If the City fails or refuses to proceed as in this Section provided, the owner or owners of not less than 10% in principal amount of the Bonds then Outstanding, after demand in writing, may proceed to protect and to enforce the rights of the owners of the Bonds as hereinabove provided; and to that end any such owners of Outstanding Bonds shall be subrogated to all rights of the City under any agreement, lease or other contract the Pledged Revenues entered into before the effective date of this Ordinance or thereafter while any of the Bonds are Outstanding.

Section 1108. Prejudicial Action Unnecessary. Nothing in this article requires the City to proceed as provided therein if the City determines in good faith and without any gross abuse of its discretion that if the City so proceeds it is more likely than not to incur a net loss rather than a net gain, or the action is otherwise likely to affect materially and prejudicially the owners of the Outstanding Bonds and any Outstanding parity securities.

ARTICLE XII  
AMENDMENT OF ORDINANCE

Section 1201. Privilege of Amendments. This Ordinance may be amended or supplemented by instruments adopted by the City in accordance with the laws of the State, without receipt by the City of any additional consideration, but with the written consent of the bond insurer, if any, or the owners of at least a majority in aggregate principal amount of the Bonds authorized by this Ordinance and Outstanding at the time of the adoption of the amendatory or supplemental instrument, excluding, pursuant to paragraph (4) of ' 102B hereof, any Bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the Bonds if the refunding securities are not owned by the City.

Section 1202. Limitations upon Amendments. No such instrument shall permit without the written consent of all owners of the Bonds adversely and materially affected thereby:

A. Changing Payment. A change in the maturity or in the terms of redemption of the principal of any Outstanding Bond or any installment of interest thereon; or

B. Reducing Return. A reduction in the principal amount of any Bond, the rate of interest thereon, or any prior redemption premium payable in connection therewith, without the consent of the owner of the bond; or

C. Modifying Any Bond. A reduction of the percentages or otherwise affecting the description of Bonds the consent of the owners of which is required for any modification or amendment; or

D. Priorities between Bonds. The establishment of priorities as between Bonds issued and Outstanding under the provisions of this Ordinance; or

E. Partial Modification. The modifications of or otherwise materially and prejudicially affecting the rights or privileges of the owners of less than all of the Bonds then Outstanding.

Section 1203. Notice of Amendment. Whenever the City proposes to amend or modify this Ordinance under the provisions of this Article, it shall cause notice of the proposed

amendment to be given not later than 30 days prior to the date of the proposed enactment of the amendment by mailing to each:

- (1) The Paying Agent,
- (3) The Registrar, and
- (4) The owner of each of the Bonds Outstanding.

The notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory instrument is on file in the office of the City Clerk for public inspection.

Section 1204. Time for Amendment. Whenever at any time within one year from the date of the mailing of such notice there shall be filed in the office of the City Clerk an instrument or instruments executed by the owners of at least a majority in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed amendatory instrument described in the notice and shall specifically consent to and approve the adoption of the instrument, thereupon, but not otherwise, the City may adopt the amendatory instrument and the instrument shall become effective.

Section 1205. Binding Consent to Amendment. If the owners of at least a majority in aggregate principal amount of the Bonds Outstanding, at the time of the adoption of the amendatory instrument, or the predecessors in title of such owners shall have consented to and approved the adoption thereof as herein provided, no owner of any Bond, whether or not the owner shall have consented to or shall have revoked any consent as in this article provided, shall have any right or interest to object to the adoption of the amendatory instrument or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin the City from taking any action pursuant to the provisions thereof.

Section 1206. Time Consent Binding. Any consent given by the owner of a Bond pursuant to the provisions of this Article shall be irrevocable for a period of 6 months from the date of the mailing of the notice above provided for in ' 1203 hereof, and shall be conclusive and binding upon all future owners of the same Bond during that period. The consent may be revoked at any time after 6 months from the date of the mailing of the notice, by the owner who gave the consent or by a successor in title by filing notice of the revocation with the City Clerk, but the revocation shall not be

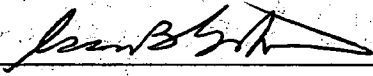
effective if the owners of a majority in aggregate principal amount of the Bonds Outstanding, before the attempted revocation, consented to and approved the amendatory instrument referred to in the revocation.

Section 1207. Unanimous Consent. Notwithstanding anything contained in the foregoing provisions of this Article, the terms and the provisions of this Ordinance or of any instrument amendatory hereof or supplemental hereto and the rights and the obligations of the City and of the owners of the Bonds hereunder may be modified or amended in any respect upon the adoption by the City and upon the filing with the City Clerk of an instrument to that effect and with the consent of the owners of all the then Outstanding Bonds, the consent to be given as provided in ' 1004 hereof; and no notice to owners of Bonds, by mailing shall be required as provided in ' 1203 hereof, nor shall the time of consent be limited except as may be provided in the consent.

Section 1208. Exclusion of City's Bonds. At the time of any consent or of other action taken under this Article, the City shall furnish to the City Clerk a certificate of the City Treasurer, upon which the City may rely, describing all Bonds to be excluded, for the purpose of consent or of other action or of any calculation of Outstanding Bonds provided for in this Article, and the City shall not be entitled with respect to such Bonds to give any consent or to take any other action provided for in this Article, pursuant to paragraph (4) of ' 102B hereof.

Section 1209. Notation on Bonds. Bonds authenticated and delivered after the effective date of any action taken as in this Article provided may bear a notation by endorsement or otherwise in form approved by the City as to the action; and if any Bond so authenticated and delivered shall bear such notation, then upon demand of the owner of any Bond Outstanding at such effective date and upon presentation of his or her Bond for the purpose at the principal office of the Secretary, suitable notation shall be made on the Bond by the Secretary as to any such action. If the City so determines, new Bonds so modified as in the opinion of the City to conform to such action shall be prepared, authenticated and delivered; and upon demand of the owner of any Bond then Outstanding, shall be exchanged without cost to the owner for Bonds then Outstanding upon surrender of the Bonds.

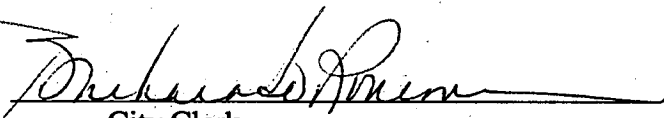
Section 1210. Proof of Ordinances and Bonds. The fact and date of execution of any instrument under the provisions of this Article, the amount and number of the Bonds held by any Person executing the instrument, and the date of his holding the same may be proved as provided by ' 1004 hereof.



\_\_\_\_\_  
Mayor

(SEAL)

Attest:

  
\_\_\_\_\_  
City Clerk

This Ordinance shall be in full force and effect from and after March 20<sup>TH</sup>, 2005.

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

I, Barbara Jo Ronemus, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on March 2, 2005 and finally adopted and approved on March 16, 2005.

2. The following members of the Council were present at the March 2, 2005 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3. The foregoing Ordinance was first proposed and read by title to the City Council on March 2, 2005, and referred to a committee composed for recommendation; thereafter the said committee reported favorably on said Ordinance on March 16, 2005, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the March 16, 2005 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

Those Voting Nay: NONE  
Those Absent: NONE

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 March 2 and March 16, 2005. Pursuant to ' 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) City Clerk Bulletin Board  
City Hall Plaza, 2<sup>nd</sup> Floor Skybridge  
Las Vegas, Nevada
- (ii) Clark County Government Center  
Las Vegas, Nevada
- (iii) Grant Sawyer Building  
Las Vegas, Nevada
- (iv) Las Vegas Library District  
Las Vegas, Nevada

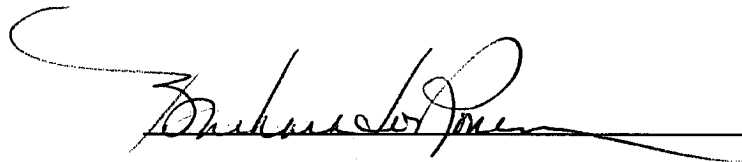
and

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

6. A copy of such notice so given of the meeting of the Council on March 2, 2005 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on March 16, 2005 is attached to this certificate as Exhibit B.

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

**IN WITNESS WHEREOF**, I have hereunto set my hand on this March 16, 2005.



City Clerk

(SEAL)

**EXHIBIT A**

**(Attach Copy of Notice of March 2, 2005 Meeting)**



## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

MICHAEL MACK (Ward 6), STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1)

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

**MARCH 2, 2005**

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

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

### CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND CYNDI DeLONG, RELIGIOUS SCIENCE
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF AMERICAN RED CROSS MONTH
- RECOGNITION OF PURCHASING AND SUPPLY MANAGEMENT MONTH
- RECOGNITION OF WOMEN'S HISTORY MONTH
- RECOGNITION OF NEVADA YOUTH READING WEEK

### BUSINESS ITEMS - MORNING

1. 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
2. Approval of the Final Minutes by reference of the regular City Council Meeting of December 15, 2004 and the Special City Council Meeting of June 24, 2004

## **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 SERVICES - CONSENT**

3. Approval of the ratification of Robin W. Munier in a Council support position as a Council Liaison to the Ward 1 office - Ward 1 (Tarkanian)

### **BUSINESS DEVELOPMENT - CONSENT**

4. Approval of a Second Amendment to the Operating Agreement between the City of Las Vegas and the Las Vegas Technology Center Owners Association (LVTCOA) extending the agreement 60 days to allow finalization of issues related to transfer of the "Common Areas", located at the intersection of Tenaya Way and Prairie Falcon Road, required by the Operating Agreement approved by the City Council on March 1, 1995, and as amended on February 2, 2000 - Ward 4 (Brown)

### **FIELD OPERATIONS - CONSENT**

5. Approval of Amendment to an Interlocal Agreement with Regional Transportation Commission of Southern Nevada (RTC) to reduce the frequency of collection and probing service at the Downtown Transportation Center (\$4,920 savings - General Fund) - Wards 1, 3 and 5 (Tarkanian, Reese and Weekly)

### **FINANCE & BUSINESS SERVICES - CONSENT**

6. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
7. Approval of a Special Event License for Whole Foods Market, Inc., Location: Whole Foods Market, 8855 West Charleston Boulevard, Dates: March 17, 24 and April 16, 20, 2005, Type: Special Event Beer/Wine, Events: Wine Tastings on March 17, 24 and April 20, BBQ Benefit for the Southern Nevada Fire Fighters Burn Foundation on April 16, 2005, Responsible Persons in Charge: Michael Minggia, Peter Sturges, David A. Laning - Ward 2 (Wolfson)
8. Approval of a Special Event License for Mexican Patriotic Committee, Location: Freedom Park, 850 North Mojave Road, Date: March 20, 2005, Type: Special Event Beer/Wine, Event: Family Picnic, Responsible Person in Charge: Eddie Escobedo - Ward 3 (Reese)
9. Approval of a Special Event License for Enrique Tinoco, Location: Tinocos Restorant, 103 East Charleston Boulevard, Suite 107, Date: March 4, 2005, Type: Special Event Beer/Wine, Event: First Friday of March, Responsible Person in Charge: Enrique Tinoco - Ward 1 (Tarkanian)
10. Approval of a Special Event License for Aida Cardenas, Location: East Las Vegas Community Senior Center, 250 North Eastern Avenue, Date: March 12, 2005, Type: Special Event Beer/Wine, Event: Sweet 15 (Quinceañera), Responsible Person in Charge: Gerardo Macias - Ward 3 (Reese)
11. Approval of a Special Event License for St. Anne Catholic School, Location: St. Ann Catholic School, 1813 South Maryland Parkway, Dates: April 23, 24, 2005, Type: Special Event Beer/Wine, Event: St. Anne Catholic School Fun Fair 2005 Fundraiser, Responsible Person in Charge: Carol Rose - Ward 3 (Reese)

## FINANCE & BUSINESS SERVICES - CONSENT

12. Approval of Change of Business Name for a Beer/Wine/Cooler On-sale License, Inno International, Inc., dba From: Tokyoto Sushi & Roll Japanese Restaurant, To: Tokyoto Sushi, 1000 South Rampart Boulevard, Suite 16, Do Y. Kim, Dir, Pres, Secy, Treas, 100% - Ward 2 (Wolfson)
13. Approval of award of Contract No. 050520 for Sewage Waste Disposal Services – Department of Public Works - Award recommended to: REPUBLIC SILVER STATE DISPOSAL, INC. (Estimated Annual Amount \$1,058,000 – Sanitation Enterprise Fund)
14. Approval of Use Agreement No. 050549 authorizing use of Clark County Bid Number 5200-02, Volumetric Regenerative Street Sweepers - Department of Field Operations - Award to: H&E EQUIPMENT SERVICES - (Estimated Annual Amount of \$235,234 - Automotive Services Internal Service Fund)
15. Approval of ratification of a purchase order for fiberglass flights, non-metallic chain and components - Department of Public Works - Award recommended to: US FILTER ENVIREX PRODUCTS (\$55,490 - Sanitation Enterprise Fund)
16. Approval of issuance of a purchase order for Promax Final Cut Pro Non-linear Editors - Office of Communications – Award recommended to: PROMAX SYSTEMS INC (\$54,179 – Video Production Enterprise Fund)
17. Approval of the rejection of bid and award of Bid No. 050068-TG, Galvanized Steel Sign Posts – Department of Public Works – Award recommended to: PACIFIC PRODUCTS & SERVICES (Estimated annual amount \$50,000 – General Fund)
18. Approval of issuance of a purchase order for Sewage Grinders – Department of Detention and Enforcement – Award recommended to: JWC ENVIRONMENTAL (\$42,459 – General Fund)
19. Approval of the award of Bid No. 050513-GL, Printing of Metro Multi-Systems Guidebook, MSG-4 - Department of Information Technology, Graphic Arts - Award recommended to: SCHIELE GRAPHICS (\$38,155 - General Fund)

## FIRE & RESCUE - CONSENT

20. Approval authorizing the Department of Fire & Rescue to execute a Secondary User's Agreement with Mike O'Callaghan Federal Hospital for the transfer of interoperable radio equipment for public safety communications - All Wards

## HUMAN RESOURCES - CONSENT

21. Approval of payment for a permanent partial disability award - Claim WC04010014 - as required under the workers' compensation statutes (\$44,563.77 - Workers' Compensation Internal Service Fund)
22. Approval of payment for a permanent partial disability award - Claim WC03040091 - as required under the workers' compensation statutes (\$62,622.91 - Workers' Compensation Internal Service Fund)

## NEIGHBORHOOD SERVICES - CONSENT

23. Approval of a Direct Loan Agreement expending \$26,000 of HOME Investment Partnership Program (HOME) funds for housing rehabilitation activities at 1701 Loch Lomand Way, Stella Butterfield, owner - Ward 1 (Tarkanian)
24. Approval of a Department of Justice sponsored Weed and Seed Interlocal Agreement between the City of Las Vegas and the Las Vegas Metropolitan Police Department to allocate \$112,500 of Weed and Seed Funds - Wards 3 and 5 (Reese and Weekly)

## PLANNING & DEVELOPMENT - CONSENT

25. Approval of annexation report for the proposed annexation area generally located on the north side of Moccasin Road, between the Buffalo Drive Alignment to the east and Spin Ranch Road to the west (ANX-3026) - Ward 6 (Mack)
26. Approval of annexation report for the proposed annexation area bounded by Iron Mountain Road to the south, Puli Road to the west, Hualapai Way to the east, and Moccasin Road to the north (ANX-5528) - Ward 6 (Mack)

## PUBLIC WORKS - CONSENT

27. Approval of a Dedication from the City of Las Vegas, for a portion of the Northeast Quarter of Section 29, Township 20 South, Range 60 East, Mount Diablo Meridian, for right-of-way located at the southwest corner of Vegas Drive and Durango Drive for a right turn lane, APN 138-29-501-007 - Ward 4 (Brown)
28. Approval of an Encroachment Request from Landtek, LLC, on behalf of Cliffs Edge, LLC, owner (Hualapai Way between Grand Teton Drive and Dorrell Lane) - Ward 6 (Mack)
29. Approval of an Encroachment Request from Landtek, LLC, on behalf of Cliffs Edge, LLC, owner (Grand Teton Drive between Puli Road and Hualapai Way) - Ward 6 (Mack)
30. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company (NPC) for the installation of NPC facilities to provide power for streetlight and traffic signal services for Jones Boulevard - Beltway to Elkhorn Road (\$7,556 - Regional Transportation Commission [RTC]) - Ward 6 (Mack)
31. Approval of an Engineering Design Services Agreement with CH2M Hill for the Regional Transportation Commission of Southern Nevada Interlocal Contract 482 - Bus Turnout Project FY 2005 within Charleston Boulevard from Nellis Boulevard to Fremont Street (\$399,559 - Regional Transportation Commission [RTC]) - Ward 3 (Reese)
32. Approval of a First Amendment to Professional Services Agreement with Carollo Engineers for additional services on the design expansion of the Lone Mountain Lift Station (\$49,979 - Sanitation Fund) - Ward 6 (Mack)

## RESOLUTIONS - CONSENT

33. R-21-2005 - Approval of a Resolution directing the City Treasurer to prepare the Forty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
34. R-22-2005 - Approval of a Resolution approving the Forty-Ninth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (Wolfson)
35. R-23-2005 - Approval of a Resolution Establishing the Interest Rate for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (\$211,114.49 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)
36. R-24-2005 - Approval of a Resolution Determining the Cost and Directing the Director of Public Works to Prepare the Final Assessment Roll for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2006) (\$49,240.38 - Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)
37. R-25-2005 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the Final Assessment Roll will be heard for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2006) (\$49,240.38- Capital Projects Fund - Special Assessments) - Ward 1 (Tarkanian)
38. R-26-2005 - Approval of a Resolution Establishing the Interest Rate for Special Improvement District No. 1495 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (\$12,759.92 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

## REAL ESTATE COMMITTEE - CONSENT

39. Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 4.84 acres of land located in the vicinity of Owens Avenue and Main Street known as APN 139-27-502-015 to HELP Las Vegas Housing Corporation II, for the development and construction of affordable housing for low-income individuals (\$10 revenue - General Fund) - Ward 5 (Weekly)
40. Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 3.165 acres of land located in the vicinity of Owens Avenue and Main Street known as APN 139-27-502-018 to The Salvation Army for development and construction of an affordable family housing community for low-income individuals (\$10 revenue - General Fund) - Ward 5 (Weekly)
41. Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 1.0 acres of land located in the vicinity of Owens Avenue and Main Street known as APN 139-21-804-004 to The Shade Tree, Inc., (Shade Tree) for their off-site expansion (\$10 revenue - General Fund) - Ward 5 (Weekly)
42. Approval of the City of Las Vegas (City) entering into negotiations with RS Consulting regarding a possible agreement whereby the City sells RS Consulting approximately 0.86 acres of land known as APN 138-03-510-003 located at the southeast corner of Lone Mountain Road and Balsam Street - Ward 6 (Mack)
43. Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 2.81 acres of land located in the vicinity of Hualapai Way and Gilmore Avenue known as APN 138-07-103-006 to Lone Mountain Villas, LLC, (Lone Mountain) to develop future housing (\$758,700 revenue less shared closing costs - General Fund) - Ward 4 (Brown)

## DISCUSSION / ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

44. Report and possible action concerning the status of 2005 legislative issues
45. Discussion and possible action regarding an Interlocal Agreement with Clark County to transfer a two percent rental car tax to the City of Las Vegas for the purposes of supporting a performing arts center - All Wards

### CITY ATTORNEY - DISCUSSION

46. Discussion and possible action on Appeal of Work Card Denial: Kristin R. Curley, 5370 E. Craig Road #2122-69, Las Vegas, Nevada 89115
47. Discussion and possible action on Appeal of Work Card Denial: Bobby Ray Warren, Jr., 3975 N. Nellis Boulevard #4-2157, Las Vegas, Nevada 89115
48. Discussion and possible action on Appeal of Work Card Denial: Jennifer Deeann Stitt, 6666 Washington #124, Las Vegas, Nevada 89107
49. Discussion and possible action on Appeal of Work Card Denial: Casey Joseph Loop, 4185 Paradise Road #2109, Las Vegas, Nevada 89109
50. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Tiffany Avice Johnson-Rorie, P.O. Box 669, Las Vegas, Nevada 89125
51. Discussion and possible action on Appeal of Work Card Denial: Charles J. Irion, 1020 Hassett Avenue, Las Vegas, Nevada 89104

## CITY ATTORNEY - DISCUSSION

52. Discussion and possible action on Appeal of Work Card Denial: Christin June Delay, 6105 E. Sahara Avenue #75, Las Vegas, Nevada 89142

## FINANCE & BUSINESS SERVICES - DISCUSSION

53. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Cisco's Supper Club, Incorporated, dba Ciscos Mexican Seafood and Cantina, 2100 Fremont Street, Michelle E. Gomez, Dir, Pres, VP, Secy, Treas, 100% (NOTE: Item to be heard in the afternoon session in conjunction with Item 129 - SUP-5802) - Ward 3 (Reese)
54. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License, From: Sushi on Tropicana, Inc., dba Sushi on Summerlin, Hideki Otsuka, Dir, Pres, Secy, Treas, 100%, Hatsumi Otsuka, Dir, To: Sushi Island, Inc., dba Sushi in Summerlin, 7450 West Cheyenne Avenue, Suite 118, Alvin L. Silva, Dir, Pres, 50%, Christina M. Silva, Dir, Secy, Treas, 50% - Ward 4 (Brown)
55. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, Samuel M. Martinez, dba Camino Real Mexican Grill, 5000 West Charleston Boulevard, Suite D, Samuel M. Martinez, 100%, Armida R. Martinez, Principal - Ward 1 (Tarkanian)
56. Discussion and possible action regarding Change of Location and Business Name for a Massage Establishment License subject to the provisions of the planning and fire codes, Xiao Ping Wang, LLC, dba From: Far East Massage Center, 5000 West Oakey Boulevard, D2, To: New China Spa & Massage, 570 South Decatur Boulevard, Xiao P. Wang, Mmbr, 100% (NOTE: Item to be heard in the afternoon session in conjunction with Item 124 - SUP-5739) - Ward 1 (Tarkanian)
57. Discussion and possible action regarding a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Nana Adams, dba World Psychic, 2901 West Washington Avenue, Booth T129, Nana Adams, 100% - Ward 5 (Weekly)
58. Discussion and possible action regarding a Six Month Review of a Package License and a Restricted Gaming License for 7 slots, Speakeasy Liquor Partnership, dba Speakeasy Liquor, 1006 East Charleston Boulevard, Raid B. Bidi, Ptnr, 50%, Said Y. Sipo, Ptnr, 50% - Ward 3 (Reese)
59. Discussion and possible action regarding a Six Month Review of a Tavern License, Crest Lodge, Inc., dba Fong's Garden Cafe de Manila, 2021 East Charleston Boulevard, Lourdes S. Guevara, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

## NEIGHBORHOOD SERVICES - DISCUSSION

60. ABEYANCE ITEM - Report regarding Federal and State funded programs administered by the Neighborhood Services Department on behalf of the city of Las Vegas - All Wards
61. Discussion and possible action on a conditional allocation of \$5,807,332 in FY 2005-2006 Community Development Block Grant (CDBG) funds subject to award of the funding to the city of Las Vegas by the Department of Housing and Urban Development (HUD) and \$160,000 in anticipated Program Income Funds - All Wards
62. Discussion and possible action on a conditional allocation of \$223,918 in FY 2005-2006 Emergency Shelter Grant (ESG) funds subject to award of the funding to the city of Las Vegas by the Department of Housing and Urban Development (HUD) and \$27,283 of FY 2004-2005 Reprogrammed ESG funds - All Wards
63. Discussion and possible action on a conditional allocation of \$886,000 in FY 2005-2006 Housing Opportunities For Persons With AIDS (HOPWA) grant funds subject to award of the funding to the city of Las Vegas by the Department of Housing and Urban Development (HUD) and \$38,286 of FY 2004-2005 Reprogrammed HOPWA funds - All Wards

**PLANNING & DEVELOPMENT - DISCUSSION**

64. Discussion and possible action on the revised Southern Nevada Water Authority Drought Plan - All Wards
65. Report regarding top ranked projects as determined by the Parks, Trails and Natural Areas subgroup in accordance with the Southern Nevada Public Lands Management Act (SNPLMA) - All Wards

**RESOLUTIONS - DISCUSSION**

66. R-27-2005 - Discussion and possible action on a Resolution Supporting the Retention of All Proceeds from Land Sales Under the 1998 Southern Nevada Public Land Management Act

**BOARDS & COMMISSIONS - DISCUSSION**

67. HISTORIC PRESERVATION COMMISSION - Dorothy Wright, Term Expiration 3/24/2005; Mary Hausch, Term Expiration 3/6/2005; Felix DeHerrera, Term Expiration 3/8/2007 (Resigned)
68. CONSERVATION DISTRICT OF SOUTHERN NEVADA (CDSN) BOARD - Dirick Van Gorp, Term Expires 3-17-2005
69. PARK & RECREATION ADVISORY COMMISSION - Walter R. Sapling, Term Expiration 1-8-2006 (Deceased)

**REAL ESTATE COMMITTEE - DISCUSSION**

70. ABEYANCE ITEM - Discussion and possible action on the Floyd Lamb State Park Transfer Agreement with the Nevada Division of Lands regarding the transfer of Floyd Lamb State Park, located south of Moccasin Road and north of Grand Teton, to the City of Las Vegas (\$1,300,000 - General Fund) - Ward 6 (Mack)

**RECOMMENDING COMMITTEE REPORT - DISCUSSION**

**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.**

71. Bill No. 2005-9 - Eliminates the inclusion of street rights-of-way and open space in the acreage used to determine allowable units per acre in residential subdivisions. Proposed by: Margo Wheeler, Director of Planning and Development
72. Bill No. 2005-10 - Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements. Sponsored by: Councilman Lawrence Weekly
73. Bill No. 2005-11 - Clarifies the rules that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments. Proposed by: Margo Wheeler, Director of Planning and Development

## 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.**

74. Bill No. 2005-12 - Annexation No. ANX-5656 - Property location: On the west side of Al Carrison Street, 50 feet south of McNamee Avenue; Petitioned by: Michael E. Burke; Acreage: 2.08 acres; Zoned: R-A (County zoning), R-A (City equivalent). Sponsored by: Councilman Michael Mack
75. Bill No. 2005-13 - Annexation No. ANX-5674 - Property location: On the northeast corner of Centennial Parkway and Kevin Way; Petitioned by: Project K, LLC; Acreage: 2.52 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack
76. Bill No. 2005-14 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilman Larry Brown
77. Bill No. 2005-15 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Sewer Refunding Bonds, (Additionally Secured by Pledged Revenues) Series 2005A. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards
78. Bill No. 2005-16 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues) Series 2005B. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards

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

## BUSINESS ITEMS - AFTERNOON

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

## HEARINGS - DISCUSSION

80. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 960 G Street. PROPERTY OWNER: ELSIE BATIE - Ward 5 (Weekly)
81. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 1408 Hiawatha Road. PROPERTY OWNERS: ANTHONY & LISA ANN YORK - Ward 1 (Tarkanian)
82. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 5968 N. Rainbow Boulevard. PROPERTY OWNERS: JAMES & GEORGIA CHILDRESS FAM TR - JAMES D. & GEORGIA CHILDRESS TRS - Ward 6 (Mack)
83. Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply regarding 230 N. 8th Street (Units 230, 232, 234, 236, 238, and 240). PROPERTY OWNERS: A GRACE II INC - C/O R. KENNEDY - Ward 5 (Weekly)

## 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

84. TMP-5798 - PUBLIC HEARING - FRANKLIN PARK AT PROVIDENCE - APPLICANT/OWNER: COLEMAN-TOLL, LIMITED PARTNERSHIP - Request for a Tentative Map FOR A 234-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND WAIVERS OF TITLE 18.12.105 FOR A 350-FOOT PRIVATE DRIVE WHERE A MAXIMUM OF 200 FEET IS ALLOWED AND A WAIVER OF TITLE 18.12.160 FOR INTERNAL INTERSECTION OFFSETS OF APPROXIMATELY 84 FEET AND 104 FEET WHERE A MINIMUM OF 125 FEET IS REQUIRED on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road (APN 126-13-410-001), PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
85. ROC-5940 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON FESTIVAL, LLC - Request for a Review of Condition Number 17 of an approved Site Development Plan Review (SDR-3790) TO ALLOW DELIVERY HOURS BETWEEN 5:30 A.M. AND 10 P.M. WHERE THE HOURS WERE RESTRICTED TO 8:00 A.M. TO 8:00 P.M. for an approved 94,978 square foot retail center on 9.74 acres adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive (APN 138-358-01-002 and 138-358-03-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
86. ROC-5951 - PUBLIC HEARING - APPLICANT/OWNER: REBEL OIL CO., INC. - Request for a Review of Condition Number 8 of an approved Special Use Permit (SUP-2288) TO ALLOW THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE WHERE SUCH WAS PROHIBITED for an approved convenience store on 1.1 acres adjacent to the northeast corner of Sahara Avenue and Hualapai Way (APN 163-06-416-008), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends DENIAL
87. ROC-5975 - PUBLIC HEARING - APPLICANT/OWNER: PHSSA, LLC - Request for a Review of Conditions for an approved Rezoning (ZON-3176) FROM: R-E (RESIDENCE ESTATES) TO: O (OFFICE) on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-101-015), Ward 1 (Tarkanian). Staff has no recommendation
88. ROC-5976 - PUBLIC HEARING - APPLICANT/OWNER: PHSSA, LLC - Request for a Review of Conditions for an approved Site Development Plan Review (SDR-3177) FOR A PROPOSED 42,500 SQUARE FOOT OFFICE AND RETAIL BUILDING on 4.26 acres adjacent to the northeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-101-015), O (Office) Zone, Ward 1 (Tarkanian). Staff has no recommendation
89. ROC-5988 - PUBLIC HEARING - APPLICANT/OWNER: WEISS REVOCABLE LIVING TRUST - Request for a Review of Condition of Condition Number 2 for an approved Special Use Permit (U-0096-00) TO ALLOW 58 HORSES WHERE A MAXIMUM OF 28 HORSES WERE ALLOWED for a commercial horse boarding and training facility at 5770 West Rosada Way (APN 125-36-301-010), R-E (Residence Estates) Zone, Ward 6 (Mack). Staff recommends APPROVAL
90. ROC-6006 - PUBLIC HEARING - APPLICANT: PULTE HOMES - OWNER: PN II, INC. - Request for a Review of Condition Number 8 for an approved Rezoning (Z-0075-91) TO ELIMINATE THE REQUIREMENT FOR A 10 FOOT WIDE LANDSCAPE PLANTER OUTSIDE THE PERIMETER WALL for an approved Master Plan Development adjacent to the east side of Coke Street, approximately 1,200 feet north of Racel Street (APN 125-09-697-001 and 125-09-797-001), R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). Staff recommends DENIAL

## PLANNING & DEVELOPMENT - DISCUSSION

91. SDR-5503 - PUBLIC HEARING - APPLICANT: SHAG'S CARWASH - OWNER: HARRY & GERALDINE GORDON REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 3,208 SQUARE-FOOT CAR WASH/DRIVE-THROUGH DELI/COFFEE SHOP AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR MINIMUM FLOOR AREA RATIO, THE FRONT YARD BUILD-TO REQUIREMENT, MINIMUM GLAZING REQUIREMENT, MINIMUM GROUND-FLOOR RETAIL REQUIREMENT, UNDERGROUND UTILITIES AND SCREENING OF AUTO-RELATED FACILITIES on 0.23 acres adjacent to the east side of Main Street, approximately 175 feet north of Bonneville Avenue (APN 139-34-311-001 and 002), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
92. SDR-5517 - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: WILLOWS TOWN CENTER, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 188-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 8.81 acres adjacent to the southeast corner of Bath Drive and Fort Apache Road (APN 125-20-301-022), T-C (Town Center) Zone [M-TC (Medium Density Residential - Town Center) Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
93. SDR-5519 - PUBLIC HEARING - APPLICANT: CHARTERED DEVELOPMENT - OWNER: PR LONE MOUNTAIN WEST, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 98-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 5.27 acres at 10620 West Alexander Road (APN 137-01-401-010), PD (Planned Development) Zone [Multi-Family Medium Lone Mountain West Special Land Use Designation], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL - PULLED DUE TO INCOMPLETE BACKUP
94. SDR-5774 - PUBLIC HEARING - APPLICANT: MARCO BRAMBILLA - OWNER: TOROS YERANOSIAN - Request for a Site Development Plan Review FOR A PROPOSED 30,000 SQUARE-FOOT COMMERCIAL/RETAIL BUILDING AND A WAIVER OF FOUNDATION LANDSCAPING on 2.13 acres adjacent to the east side of Rancho Drive, approximately 1,160 feet north of Torrey Pines Drive (APN 138-02-102-004), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
95. SDR-5794 - PUBLIC HEARING - APPLICANT: LAMB MISSIONARY BAPTIST CHURCH - OWNER: LAMB BOULEVARD BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED EXPANSION OF AN EXISTING CHURCH/HOUSE OF WORSHIP on 2.06 acres at 500 North Lamb Boulevard (APN 140-32-103-003), R-E (Residence Estates) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
96. MOD-5581 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Major Modification to the Lone Mountain Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: NEIGHBORHOOD COMMERCIAL AND PARK/SCHOOL/RECREATION/OPEN SPACE TO: MULTI-FAMILY MEDIUM on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-1 vote) and staff recommend APPROVAL
97. SDR-5579 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: OMEGA DEVELOPMENT - OWNER: LONE MOUNTAIN COMMERCIAL, LLC AND THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 136-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 8.74 acres adjacent to the east side of Hualapai Way, north and south of Gilmore Avenue (APN 138-07-201-001 and 002; 138-07-103-006), U (Undeveloped) Zone [PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space) General Plan Designations] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (4-1 vote) and staff recommend APPROVAL
98. SNC-5832 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Street Name Change FROM: GILBERT LANE TO: SHELEHEDA AVENUE, between Jones Boulevard and Bradley Road, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

99. VAC-5030 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIO - OWNER: RINKAI AMERICA, INC. - Petition to vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
100. VAC-5721 - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: TASS C. HARDIN AND LOIS I. HARDIN, ET AL - Petition to Vacate a portion of the south half of Red Coach Avenue between Painted Desert Drive and Rancho Drive, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
101. VAC-5791 - PUBLIC HEARING - APPLICANT: JOHN C. COOLIDGE - OWNER: C & C INVESTMENT, COMPANY - Petition to Vacate a portion of a 15-foot wide public utility easement at 3505 East Charleston Boulevard, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
102. RQR-5732 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: RIEGER 1982 REVOCABLE TRUST - Required Four Year Review on an approved Variance (V-0131-90) WHICH ALLOWED AN 80-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 1405 "A" Street (APN 139-27-501-003), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend APPROVAL
103. VAR-5795 - PUBLIC HEARING - APPLICANT/OWNER: BRUCE STEVEN GILBERT - Request for a Variance TO ALLOW A FOUR-FOOT WROUGHT IRON FENCE (50% OPEN) ON TOP OF A TWO-FOOT HIGH SOLID WALL WHERE FOUR FEET (TOP TWO FEET, 50% OPEN) IS THE MAXIMUM HEIGHT ALLOWED IN THE FRONT YARD on 0.17 acres at 1924 South Sixth Street (APN 162-03-315-039), R-1 (Single-Family Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
104. VAR-5808 - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Variance TO ALLOW A 37-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 84 FEET FOR A PROPOSED OFFICE/WAREHOUSE DEVELOPMENT on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
105. SDR-5813 - PUBLIC HEARING - APPLICANT: PERKOWITZ AND RUTH ARCHITECTS - OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Site Development Plan Review FOR A PROPOSED 38,000 SQUARE-FOOT OFFICE/WAREHOUSE DEVELOPMENT AND FOR A WAIVER OF THE BUILDING PLACEMENT, PERIMETER, AND PARKING LOT LANDSCAPING REQUIREMENTS on 3.56 acres east of Rancho Drive, approximately 500 feet south of Lone Mountain Road (APN 138-02-102-012), C-2 (General Commercial) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
106. VAR-5812 - PUBLIC HEARING - APPLICANT/OWNER: ALBERT & KAMRAN INVESTMENTS, LLC - Request for a Variance TO ALLOW A TRASH ENCLOSURE TO BE ZERO FEET FROM A PROTECTED RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 50 FEET FOR AN APPROVED RETAIL DEVELOPMENT on 0.43 acres at 2187 North Decatur Boulevard (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
107. RQR-5168 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required One Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55 FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3920 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
108. RQR-5787 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: C & C INVESTMENT CO. - Request for a Required One-Year Review of an approved Special Use Permit (SUP-3385) WHICH ALLOWED 40 PERCENT OF THE LOT AREA CONTAINING THE PRINCIPAL USE TO BE USED FOR OUTSIDE STORAGE on property located at 3505 East Charleston Boulevard (APN 140-31-401-033, 042 and a portion of 043), R-1 (Single-Family Residential), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones under Resolution of Intent to C-M (Commercial/Industrial), Ward 3 (Reese). Staff recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

109. RQR-5734 - PUBLIC HEARING - APPLICANT: FAMILY AND CHILD TREATMENT OF SOUTHERN NEVADA - OWNER: FURBER DEVELOPMENT - Required One-Year Review of an approved Special Use Permit (SUP-3405), WHICH ALLOWED A SEX OFFENDER COUNSELING FACILITY at 1050 South Rainbow Boulevard (APN 138-34-820-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend APPROVAL
110. RQR-5171 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: Z J & R PROPERTIES, LLC - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two Year Review of an Approved Special Use Permit (U-0043-94) WHICH ALLOWED A 55-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
111. RQR-5680 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: RICHARD W. ATTISANI - Required Two-Year Review of an approved Special Use Permit (U-0155-96) WHICH ALLOWED A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1217 South Commerce Street (APN 162-03-110-120), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
112. RQR-5682 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: SYUFY ENTERPRISES - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two-Year Review of an approved Special Use Permit (U-0136-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 5183 West Charleston Boulevard (APN 163-01-502-008), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL
113. RQR-5741 - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALLEN, LLC - Required Two-Year Review of an approved Special Use Permit (U-0080-96) WHICH ALLOWED FOUR (4) 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS adjacent to the east side of Rancho Drive, south of Coran Lane (APN 139-19-705-001), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. (NOTE: Only two billboards remain and are the subject of this review)
114. RQR-5767 - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: AMBER INVESTMENT COMPANY - Appeal filed by the Applicant from the Denial by the Planning Commission of a Required Two-Year Review of an approved Special Use Permit (U-0052-95) WHICH ALLOWED A 40 FOOT TALL, 14-FOOT X 48-FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 336 West Sahara Avenue (APN 162-04-807-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend DENIAL
115. RQR-5513 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: FLETCHER JONES SR TRUST & JR TRUST, ET AL - Required Four-Year Review of an approved Special Use Permit (U-0101-95) WHICH ALLOWED ONE 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD Interstate-15 AT A HEIGHT OF 30 FEET ABOVE THE ELEVATED FREEWAY; AND A SECOND 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN ORIENTED TOWARD THE DESERT INN ROAD "SUPER ARTERIAL" AT A HEIGHT OF 55 FEET ABOVE GRADE at 3200 South Rancho Drive (APN 162-08-401-004), M (Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL
116. RQR-5745 - PUBLIC HEARING - APPLICANT/OWNER: VEGAS SOL, INC., ET AL - Request for a Five-Year Review of an approved Special Use Permit (U-0088-99) WHICH ALLOWED AN EXISTING COMMERCIAL EQUESTRIAN CENTER at 6901 North Jones Boulevard (APN 125-23-601-012, 017, 018, 019, 020, and 024), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
117. SUP-5564 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Special Use Permit FOR A PROPOSED CAR WASH (SELF-SERVICE) AND WAIVER TO ALLOW BAY OPENINGS AND VACUUM BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

118. SDR-5562 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: PEP BOYS - OWNER: WACHOVIA DEVELOPMENT CORPORATION - Request for a Site Development Plan Review FOR A PROPOSED CAR WASH (SELF SERVICE) on 1.86 acres at 4141 Rancho Drive (APN 138-02-814-003), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
119. SUP-4693 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL
120. SUP-5627 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CHEK LINE ENTERPRISES, INC. - OWNER: DECATUR CROSSING CENTER, LLC. - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN AND A WAIVER OF THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE at 282 South Decatur (APN 138-36-516-004), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
121. SUP-5686 - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND A WAIVER TO ALLOW GROUND-FLOOR RESIDENTIAL UNITS adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to 102 and 105 to 110), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. SUP-5690 - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Special Use Permit TO ALLOW LIVE/WORK UNITS WITHIN A PROPOSED BUILDING adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to 102 and 105 to 110), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
123. SDR-5692 - PUBLIC HEARING - APPLICANT: CITYMARK DEVELOPMENT LLC - OWNER: OFFICE DISTRICT PARKING 1, INC. - Request for a Site Development Plan Review FOR A 15-STORY MIXED-USE DEVELOPMENT TO INCLUDE 342 RESIDENTIAL UNITS, 13 LIVE/WORK UNITS, AND 8,600 SQUARE FEET OF COMMERCIAL SPACE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP-BACK REQUIREMENTS on 2.38 acres adjacent to the northeast corner of Garces Avenue and Third Street (APN 139-34-311-095 to 102 and 105 to 110), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. SUP-5739 - PUBLIC HEARING - APPLICANT: XIAO PING WANG, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND A WAIVER OF THE REQUIRED 400-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY AND RESIDENTIAL ZONING at 570 South Decatur Boulevard (APN 138-36-701-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). (NOTE: Item to be heard in conjunction with Morning Session Item 56) The Planning Commission (5-0-2 vote) and staff recommend APPROVAL. (NOTE: Waiver from child care is an error and not necessary)
125. SUP-5759 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: BELL REAL ESTATE, LLC - Request for a Special Use Permit FOR AN EXISTING 40-FOOT HIGH, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 Industrial Road (APN 162-04-802-003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
126. SUP-5761 - PUBLIC HEARING - APPLICANT/OWNER: HIRMIS B. HARON - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING GROCERY STORE AND A WAIVER OF THE 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE at 2021 East Stewart Avenue (APN 139-35-611-086 and 087), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

127. SUP-5771 - PUBLIC HEARING - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE SALES) at 6700 West Charleston Boulevard, Suite F (APN 138-34-820-014), C-1 (Limited Commercial) Zone, Ward I (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
128. SUP-5799 - PUBLIC HEARING - APPLICANT: CAFE DE TOUT - OWNER: TRIPLE FIVE INTERCONTINENTAL, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (ON-PREMISE CONSUMPTION) at 9330 West Sahara Avenue, Suite #160 (APN 163-06-816-019), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
129. SUP-5802 - PUBLIC HEARING - APPLICANT: MICHELLE GOMEZ - OWNER: MARK H. MINTZ AND THE MINTZ FAMILY TRUST OF 1992 - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 2100 Fremont Street (APN 139-35-803-015), C-2 (General Commercial) Zone, Ward 3 (Reese). (NOTE: Item to be heard in conjunction with Morning Session Item 53) The Planning Commission (7-0 vote) and staff recommend APPROVAL
130. SUP-5904 - PUBLIC HEARING - APPLICANT/OWNER: D.2801 WESTWOOD, INC. - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) AND A WAIVER OF MINIMUM DISTANCE SEPARATION REQUIREMENTS at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends Denial. The Planning Commission (5-2 vote) recommends APPROVAL
131. ZON-5653 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK, LLC - Request for a Rezoning FROM: U(UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-2 (GENERAL COMMERCIAL) on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
132. SUP-5853 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) [GC (General Commercial) General Plan Designation] Zone, [Proposed: C-2 (General Commercial)], Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. SDR-5657 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: GREAT WASH PARK, LLC - Request for a Site Development Plan Review TO ALLOW A MIXED-USE DEVELOPMENT TO INCLUDE 700,000 SQUARE FEET OF COMMERCIAL SPACE AND 375 RESIDENTIAL CONDOMINIUM UNITS IN (1) 10-STORY AND (2) 5-STORY RESIDENTIAL CONDOMINIUM BUILDINGS on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard (APN 138-32-601-003), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation], [Proposed: C-2 (General Commercial)], Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL
134. ZON-5742 - PUBLIC HEARING - APPLICANT/OWNER: JAMEY L. STARCHER AND ALPHA C. STARCHER - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) on 0.16 acres at 610 Biltmore Drive (APN 139-27-810-021), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
135. ZON-5796 - PUBLIC HEARING - APPLICANT/OWNER: SHELDON W. PAUL AND RAYMOND MARK TURNER - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 5.0 acres adjacent to the northwest corner of Grand Canyon Drive and Alexander Road (APN 138-06-401-006), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
136. SDR-5797 - PUBLIC HEARING - APPLICANT/OWNER: SHELDON W. PAUL AND RAYMOND MARK TURNER - Request for a Site Development Plan Review FOR A PROPOSED NINE LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.0 acres adjacent to the northwest corner of Grand Canyon Drive and Alexander Road (APN 138-06-401-006), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

137. ZON-5817 - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: R-MHP (RESIDENTIAL MOBILE/ MANUFACTURED HOME PARK) on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. VAR-5825 - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Variance TO ALLOW 3,000 SQUARE-FOOT MINIMUM SPACES WHERE 4,000 SQUARE FEET IS THE MINIMUM REQUIRED AND TO ALLOW 40-FOOT WIDE SPACES WHERE 45 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED MOBILE HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
139. SDR-5821 - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 51-PAD MOBILE/MANUFACTURED HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
140. GPA-5082 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.58 acres and TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 4.4 acres south of Bonanza Road and east of Pecos Road (APN 140-31-121-003), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
141. VAC-5101 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NESHAMINY CONSULTING, INC. - OWNER: BON BON, LLC - Petition to Vacate a portion of a 10-foot wide public drainage easement and ingress/egress easements generally located south of Bonanza Road, east of Pecos Road, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
142. VAR-5099 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.40 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
143. ZON-5092 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), Ward 3 (Reese). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL
144. VAR-5300 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.68 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

145. WVR-5299 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Waiver of Title 18.12.130 TO ALLOW A PUBLIC STREET TO TERMINATE WITHOUT A CIRCULAR CUL-DE-SAC OR EMERGENCY ACCESS GATE WHERE ONE IS REQUIRED FOR STREETS TERMINATING OTHER THAN AT AN INTERSECTION WITH ANOTHER PUBLIC STREET in conjunction with a proposed 41-lot single-family residential development on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN a portion of 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL. (NOTE: The applicant has requested this item be withdrawn without prejudice)
146. SDR-5098 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A PROPOSED 41-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.40 acres adjacent to the east side of Pecos Road approximately 290 feet south of Bonanza Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone [PROPOSED: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
147. SUP-5096 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Special Use Permit FOR A SUPPER CLUB adjacent to the south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
148. SDR-5093 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BON BON, LLC - Request for a Site Development Plan Review FOR A SUPPERCLUB on 1.58 acres south of Bonanza Road approximately 290 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
149. GPA-5804 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request to amend a portion of the Centennial Hills Sector Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL of ML (Medium-Low Density Residential)
150. GPA-5830 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend the Master Plan Recreation Trails Element and the Downtown North Land Use Plan of the General Plan to revise the Pioneer Trail alignment, Wards 1 and 5 (Tarkanian and Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
151. GPA-5597 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request to amend a portion of the Southeast Sector Map of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
152. ZON-5598 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
153. SUP-5600 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
154. SDR-5599 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Site Development Plan Review FOR A PROPOSED 1,880 SQUARE-FOOT COMMERCIAL BUILDING AND WAIVERS TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED; A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED; AND OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

**PLANNING & DEVELOPMENT - DISCUSSION**

155. GPA-5803 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. [NOTE: The Planning Commission approved O (Office)]
156. ZON-5805 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. [NOTE: The Planning Commission approved O (Office)]
157. VAR-5852 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Variance TO ALLOW AN EIGHT-FOOT SETBACK FROM RESIDENTIAL USES WHERE A MINIMUM OF 50 FEET FOR A PROPOSED TRASH ENCLOSURE IS REQUIRED AND TO ALLOW 58-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRES A MINIMUM OF 63 FEET FOR A PROPOSED 21-FOOT HIGH COMMERCIAL BUILDING on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL. [NOTE: the proposed zoning has changed to O (Office)]
158. SDR-5811 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: DEUTSCH FAMILY TRUST - Request for a Site Development Plan Review FOR TWO PROPOSED 10,000 SQUARE-FOOT, SINGLE-STORY PROFESSIONAL OFFICE BUILDINGS on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue (APN 138-10-301-010), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
159. GPA-5823 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan) of the General Plan FROM: O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend DENIAL
160. ZON-5827 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend DENIAL
161. SDR-5826 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 78-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road (APN 138-03-510-001, 002 and 031), R-E (Residence Estates) and U (Undeveloped) Zones [O (Office) General Plan Designation] [PROPOSED: R-PD10 (Residential Planned Development - 10 Units Per Acre) Zone], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend DENIAL

**SET DATE**

162. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**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

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge  
Court Clerk's Office Bulletin Board, City Hall Plaza  
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 March 16, 2005 Meeting)**



## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCIL MEMBERS: LARRY BROWN (Ward 4), LAWRENCE WEEKLY (Ward 5),

MICHAEL MACK (Ward 6), STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1)

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

**MARCH 16, 2005**

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

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

### CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - DOCTOR-PASTOR ANNE JONES, LIFE CHRISTIAN CENTER
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE EMPLOYEE OF THE MONTH
- RECOGNITION OF THE ST. ELIZABETH ANN SETON GIRLS CHAMPIONSHIP BASKETBALL TEAM
- RECOGNITION OF THE REBEL JUNIORS 96 GIRLS SOCCER TEAM
- RECOGNITION OF THE BISHOP GORMAN HIGH SCHOOL AAAA STATE BASKETBALL CHAMPIONS
- RECOGNITION OF THE FAITH LUTHERAN JR./SR. HIGH SCHOOL AAA STATE BASKETBALL CHAMPIONS
- RECOGNITION OF PROGRAMS AND STAFF AWARDS IN THE LEISURE SERVICES DEPARTMENT

### BUSINESS ITEMS - MORNING

1. 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
2. Approval of the Final Minutes by reference of the regular City Council Meeting of January 5, 2005 and the Special City Council Meeting of November 1, 2004

## 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.

### **BUSINESS DEVELOPMENT - CONSENT**

3. Approval of the Assignment of Landscaping Covenants and Agreement Regarding Parkway Center Landscaping Obligations between City Parkway V (CP) and Union Pacific Railroad Company(UPRR)(Augmentation required of \$155,000 - City Parkway V) - Ward 5 (Weekly)

### **FIELD OPERATIONS - CONSENT**

4. Approval of an Access and Maintenance Agreement with the Sun City Summerlin Community Association, Inc., (SCSCA) whereby the city will install fencing and a gate which will allow for improved emergency vehicle response and SCSCA will maintain the area after construction (\$50,041 - Capital Project Funds) - Ward 4 (Brown)

### **FINANCE & BUSINESS SERVICES - CONSENT**

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
6. Approval of a Special Event License for Hector Hernandez, Location: East Las Vegas Senior Center, 250 North Eastern Avenue, Date: July 16, 2005, Type: Special Event Beer/Wine, Event: Sweet 15 Birthday Party, Responsible Person in Charge: Jesus Hernandez - Ward 3 (Reese)
7. Approval of a Special Event License for Leisure Services/Cultural Affairs, Location: Post Office, 301 Stewart Avenue, Date: May 14, 2005, Type: Special Event General, Event: Centennial Post Office Celebration, Responsible Person in Charge: Christine Dare-Garness - Ward 5 (Weekly)
8. Approval of Change of Ownership and Business Name for a Tavern License subject to Health Dept. regulations, From: Ramon Nuñez, dba Rodeo Bar, Ramon Nuñez, 100%, To: El Rodeo Nightclub, Inc., dba El Rodeo Club & Grill, 1815 East Charleston Boulevard, Alejandro Alvarez, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
9. Approval of Change of Location and Business Name for a Tavern License subject to the provisions of the fire codes and Health Dept. regulations, Kelly & Kelly, Inc., dba From: The Trap House, 6131 Clarice Avenue (Non-operational), To: Kelly's Kasino II, 5855 West Craig Road, Suite 108, Allan M. Kelly, Dir, Pres, 33.5%, Charlotte M. Kelly, Dir, Secy, Treas, 33.5%, Patrick R. Kelly, 33% - Ward 6 (Mack)
10. Approval of a new Restricted Gaming License for 15 slots subject to confirmation of approval by the Nevada Gaming Commission, Kelly & Kelly, Inc., dba Kelly's Kasino II, 5855 West Craig Road, Suite 108, Allan M. Kelly, Dir, Pres, 33.5%, Charlotte M. Kelly, Dir, Secy, Treas, 33.5%, Patrick R. Kelly, 33% - Ward 6 (Mack)
11. Approval of a new Burglar Alarm Service License, Brantley, Incorporated, dba Brantley, Incorporated, 2805 Jeffery Pines Street, Mark A. Brantley, Dir, Pres, Secy, Treas, 100% - Ward 5 (Weekly)
12. Approval of Change of Location for a Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, Jennifer Diamond, dba Hi Desert Appliance, From: 1205 Western Avenue, To: 1425 South Main Street, Jennifer L. Diamond, 100% - Ward 1 (Tarkanian)

## FINANCE & BUSINESS SERVICES - CONSENT

13. Approval of award of Agreement No. 050121 for Premier CAD, PMDC, and Infotrak RMS System - Department of Detention and Enforcement - Award recommended to: MOTOROLA, INC. (\$469,909 - Detention and Enforcement, Control Center Upgrade Fund)
14. Approval of Use Agreement No. 050558 authorizing use of State of Nevada Bid Number 6710, Paratransit Vehicles Pricing Agreement - Department of Field Operations - Award to: SUNSET BUS & COMMERCIAL, INC. (Estimated annual amount of \$263,252 - Automotive Service Internal Service Fund)
15. Approval of Use Agreement No. 050557 authorizing use of State of Nevada Bid Number 6849, Fleet Vehicle Pricing Agreement - Department of Field Operations - Award to: Jones West Ford (\$226,429 - Special Revenue and General Fund)
16. Approval of award of Modification No. 1 to Contract No. 050088 for Union Park Master Development Project Consulting Services - City Parkway V, Inc. - Award recommended to: HUNTER INTERESTS INCORPORATED (\$50,000 - City Parkway V) - Ward 5 (Weekly)
17. Approval of award of Contract No. 050538 for Preparation of Quarterly Socio-Economic and Real Estate Data Fact Sheets - Office of Business Development - Award recommended to: RESTREPO CONSULTING GROUP, LLC (\$49,000 - Industrial Revenue Fund)
18. Approval of award of Modification No. 1 to Contract No. 050108 for Historic Preservation Consulting Services for the Post Office at 301 Stewart Ave - Public Works - Award recommended to: CHATEL ARCHITECTURE, PLANNING & PRESERVATION, INC. (\$38,193 - Parks and Leisure Activities Capital Project Fund) - Ward 5 (Weekly)
19. Approval of revision to purchase order 220570 for Oracle 11i Software Migration Implementation Service - Department of Information Technologies - Award to: SOLBOURNE COMPUTER, INC. (\$95,000 - Computer Services Internal Service Fund)
20. Approval of issuance of a purchase order for Idler Sprockets - Department of Public Works - Award recommended to: VC CHAINS, CORP (\$30,000 - Sanitation Enterprise Fund)

## PLANNING & DEVELOPMENT - CONSENT

21. Approval of a Master Plan Amendment for drainage facilities within the Las Vegas Wash Middle Branch Area - Ward 6 (Mack)

## PUBLIC WORKS - CONSENT

22. Approval of Fourth Supplemental Interlocal Contract 321d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding for Vegas Drive - Rancho Drive to I-15 (\$200,000 - Regional Transportation Commission of Southern Nevada) - Ward 5 (Weekly)
23. Approval of Third Supplemental Interlocal Contract LAS09T04 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to increase construction funding for the Freeway Channel Charleston Lateral (\$487,400 - Clark County Regional Flood Control District) - Ward 5 (Weekly)
24. Approval of Fifth Supplemental Interlocal Contract LAS19B01 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to reallocate funding within the Interlocal Contract for Owens Avenue System - Rancho Drive to I-15 - Ward 5 (Weekly)
25. Approval of Fifth Supplemental Interlocal Contract LAS10H98 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the date of completion to allow time for final billing for Gowan North Buffalo Branch - Ward 4 (Brown)

## PUBLIC WORKS - CONSENT

26. Approval of an Interlocal Agreement between the City of Las Vegas and the Clark County Water Reclamation District (District) to allow a temporary sewer connection to the City of Las Vegas 27-inch sewer in Sahara Avenue - Ward 3 (Reese)
27. Approval to appraise and purchase or condemn right-of-way parcels for the Lone Mountain Lift Station project on the north side of Lone Mountain Road, west of Decatur Boulevard (\$20,000 - Sanitation Funds) - Ward 6 (Mack)
28. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company (NPC) for the installation of NPC facilities to provide power for streetlight and traffic signal services for the Durango Drive Phase 4, Special Improvement District 1503 project (Durango Drive - Tropical Parkway to I-215) (\$16,344 - Regional Transportation Commission [RTC]) - Ward 6 (Mack)
29. Approval of Interlocal Agreement 109344 with the Las Vegas Valley Water District (LVVWD) for the modification of existing water facilities and the installation of new water facilities in conjunction with the Elkhorn Road Overpass over US 95 project - Ward 6 (Mack)
30. Approval of a Non-Refundable Contribution in Aid of Construction Agreement with Nevada Power Company for Jones Boulevard - Rome Boulevard to Elkhorn Road (\$29,313 - Regional Transportation Commission [RTC]) - Ward 6 (Mack)
31. Approval of an Encroachment Request from Tetra Tech, Incorporated, on behalf of MTC 118, Incorporated, owner (southeast corner of Durango Drive and Elkhorn Road) - Ward 6 (Mack)
32. Approval of an Encroachment Request from AF Construction on behalf of Clark County, owner (Lewis Avenue between Casino Center Boulevard and Third Street) - Ward 1 (Tarkanian)
33. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Baughman & Turner, Incorporated, on behalf of Marcel C. Ezeoke and Uzoma G. Ezeoke, owners (southwest corner of Fort Apache Road and Hickam Avenue, APN 138-06-801-003) - County (near Ward 4 - Brown)
34. Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - D.L. Moore Construction, Incorporated, on behalf of Robert D. Hooke and Donna J. Hooke, owners (east of Jensen Street, south of Elkhorn Road, APN 125-19-102-016) - County (near Ward 6 - Mack)

## RESOLUTIONS - CONSENT

35. R-28-2005 - Approval of a Resolution directing the City Treasurer to prepare the First Assessment Lien Apportionment Report for Special Improvement District No. 1480 - Buffalo Drive Cheyenne Avenue to Lone Mountain Road) (Levy Assessments) - Ward 4 (Brown)
36. R-29-2005 - Approval of a Resolution approving the First Assessment Lien Apportionment Report for Special Improvement District No. 1480 - Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (Levy Assessments) - Ward 4 (Brown)

## REAL ESTATE COMMITTEE - CONSENT

37. Approval of a first amendment to the Exclusive Negotiating Agreement (ENA) between City Parkway V, Inc., and Related Las Vegas for the Union Park property bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Rail Road Rail line, APNs 139-34-110-002 and 003 - Ward 5 (Weekly)
38. Approval of an Easement and Rights-of-Way whereby Sierra Crossings Home Owners Association grants approximately 0.29 acres of land located south of Gilmore Avenue and west of the I-215 known as APN 137-12-697-029 to the City of Las Vegas (City) for a pedestrian bridge, walking path and drainage purposes - County (near Ward 4 - Brown)
39. Approval of a Grant, Bargain, Sale Deed whereby the City of Las Vegas (City) grants approximately 21,587 square feet of land to Astoria Alexander LLC, (Astoria) on APN 137-12-297-028 located on Gilmore Avenue east of Cliff Shadows Parkway and west of the I-215 - County (near Ward 4 - Brown)

**REAL ESTATE COMMITTEE - CONSENT**

40. Approval of an Extension of Lady Luck Parking Garage Lease and Consent to Assignment whereby the City of Las Vegas (City) and The Henry Brent Company, a Nevada LLC, (Company) agree to the assignment of the lease and extension thereof on property located at 333 East Ogden Avenue commonly known as the Ogden Parking Garage - Ward 5 (Weekly)
41. ABEYANCE ITEM - Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 4.84 acres of land located in the vicinity of Owens Avenue and Main Street known as APN 139-27-502-015 to HELP Las Vegas Housing Corporation II, for the development and construction of affordable housing for low-income individuals (\$10 revenue - General Fund) - Ward 5 (Weekly)
42. ABEYANCE ITEM - Approval of an Agreement for the Purchase and Sale of Real Property whereby the City of Las Vegas (City) sells approximately 3.165 acres of land located in the vicinity of Owens Avenue and Main Street known as APN 139-27-502-018 to The Salvation Army for development and construction of an affordable family housing community for low-income individuals (\$10 revenue - General Fund) - Ward 5 (Weekly)

**DISCUSSION / ACTION ITEMS**

**ADMINISTRATIVE - DISCUSSION**

43. Report and possible action concerning the status of 2005 legislative issues

**CITY ATTORNEY - DISCUSSION**

44. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Laurnel C. Crocker, 2817 W. Sahara, Apt. #2, Las Vegas, Nevada 89102
45. Discussion and possible action on Appeal of Work Card Denial: Monique Armstrong, 5152 Paradise Valley Avenue, Las Vegas, Nevada 89156
46. Discussion and possible action on Appeal of Work Card Denial: Diana Janice Asuncion, 8400 West Charleston Boulevard #122, Las Vegas, Nevada 89117
47. Discussion and possible action on Appeal of Work Card Denial: Dean A. Kolettis, 2901 South Industrial Road, Las Vegas, Nevada 89109
48. Discussion and possible action on Appeal of Work Card Denial: V'Andre H. Bonner, 2901 Industrial Road, Las Vegas, Nevada 89109
49. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Jennifer Deeann Stitt, 6666 Washington #124, Las Vegas, Nevada 89107
50. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Casey Joseph Loop, 4185 Paradise Road #2109, Las Vegas, Nevada 89109
51. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Charles J. Irion, 1020 Hasset Avenue, Las Vegas, Nevada 89104
52. ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Christin June Delay, 6105 E. Sahara Avenue #75, Las Vegas, Nevada 89142

## FINANCE & BUSINESS SERVICES - DISCUSSION

53. Discussion and possible action regarding Temporary Approval of a new Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, Meat House One, LLC, dba Montana Meat Company, 6371 Centennial Center Boulevard, Gaming Investors, LLC, Mgr, Mmbr, 100%, Garry V. Goett, Mgr, Steven S. Meatovich, Mgr, Barry R. Moore, Mgr, Robert J. Buist, Jr., Mgr, Guy Inzalaco, Mgr, Olympia Entertainment, LLC, Mmbr, 50%, Garry V. Goett, Mgr, Mmbr, 54%, Guy Inzalaco, Mgr, Mmbr, 36%, BBS Gaming, LLC, Mmbr, 50%, Barry R. Moore, Mmbr, 40%, Steven S. Meatovich, Mmbr, 30%, Robert J. Buist, Jr., Mmbr, 30% - Ward 6 (Mack)
54. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Viengsamai Monsay, dba Lan Xang Cafe, 2327 South Eastern Avenue, Viengsamai Monsay and Gniam Monsay, 100% jointly as husband and wife (NOTE: Item to be heard in the afternoon session in conjunction with Item 120 - SUP-5868) - Ward 3 (Reese)
55. Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Samcon, Inc., dba Tomfoolery Irish Pub and Eatery, 4300 Meadows Lane, Suite 2430, Sean T. Higgins, Dir, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian)
56. Discussion and possible action regarding a new Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots subject to the provisions of the planning and fire codes and Health Dept. regulations, Toma Herfi, Incorporated, dba Durango Market, 6955 North Durango Drive, Suites 1113 and 1114, Samir Toma, Dir, Pres, 50%, Louie G. Herfi, Dir, Secy, Treas, 50% - Ward 6 (Mack)
57. Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots, Claudio Garcia, dba Sin Fronteras Bar & Night Club, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)
58. Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots, Dick's Liquors, Inc., dba Cooler Lounge, 1903 North Decatur Boulevard, Jo Ann Milton, Key Employee - Ward 5 (Weekly)
59. Discussion and possible action regarding a Six Month Review of a Burglar Alarm Service License, All Secure, Inc., dba All Secure, Inc., 3904 Wharton Street, Noel Emanuel, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)
60. Discussion and possible action regarding a Six Month Review of a Psychic Art and Science License, Nina Demetro, dba Psychic World, 1820 Hassett Avenue, Nina Demetro, 100% - Ward 3 (Reese)
61. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, Cisco's Supper Club, Incorporated, dba Ciscos Mexican Seafood and Cantina, 2100 Fremont Street, Michelle E. Gomez, Dir, Pres, VP, Secy, Treas, 100% - Ward 3 (Reese)
62. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of a new Beer/Wine/Cooler On-sale License subject to the provisions of the planning and fire codes, Samuel M. Martinez, dba Camino Real Mexican Grill, 5000 West Charleston Boulevard, Suite D, Samuel M. Martinez, 100%, Armida R. Martinez, Principal - Ward 1 (Tarkanian)
63. Discussion and possible action regarding a Review of a Temporary Tavern License, Crest Lodge, Inc., dba Fong's Garden Cafe de Manila, 2021 East Charleston Boulevard, Lourdes S. Guevara, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)

## NEIGHBORHOOD SERVICES - DISCUSSION

64. Report and possible action regarding the proposed expansion of the Educational and Vocational Opportunities Leading to Valuable Experiences (EVOLVE) program to provide services to the chronic inebriates and homeless - All Wards

**PLANNING & DEVELOPMENT - DISCUSSION**

65. Discussion and possible action on parcels recommended for disposal at the Spring 2006 Bureau of Land Management Public Land Sale - Wards 2 and 4 (Wolfson and Brown)

**RESOLUTIONS - DISCUSSION**

66. R-30-2005 - Discussion and possible action on a Resolution Supporting Certain Types of Legislative Proposals to Provide Property Tax Relief

**BOARDS & COMMISSIONS - DISCUSSION**

67. ABEYANCE ITEM - HISTORIC PRESERVATION COMMISSION - Felix DeHerrera, Term Expiration 3/8/2007 (Resigned)
68. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION - Walter R. Sapling, Term Expiration 1-8-2006 (Deceased)
69. ANIMAL ADVISORY COMMITTEE - Susan Butche, Term Expiration 4-5-2005
70. LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES - Dr. Melvin Pohl, Term Expiration 4-7-2005; Andrea Arthurholtz, Term Expiration 4-18-2005; M. Frances Sponer, Term Expiration 4-18-2005

**RECOMMENDING COMMITTEE REPORT - DISCUSSION**

**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

71. Bill No. 2005-9 - Eliminates the inclusion of street rights-of-way and open space in the acreage used to determine allowable units per acre in residential subdivisions. Proposed by: Margo Wheeler, Director of Planning and Development
72. Bill No. 2005-10 - Eliminates redevelopment area status as a determinant of development standards relating to residential adjacency and certain setback requirements. Sponsored by: Councilman Lawrence Weekly
73. Bill No. 2005-11 - Clarifies the rules that apply to the remodeling, alteration, expansion or reuse of parking-impaired developments. Proposed by: Margo Wheeler, Director of Planning and Development
74. Bill No. 2005-13 - Annexation No. ANX-5674 - Property location: On the northeast corner of Centennial Parkway and Kevin Way; Petitioned by: Project K, LLC; Acreage: 2.52 acres; Zoned: R-E (County zoning), U (TC) (City equivalent). Sponsored by: Councilman Michael Mack
75. Bill No. 2005-15 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Sewer Refunding Bonds, (Additionally Secured by Pledged Revenues) Series 2005A. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards
76. Bill No. 2005-16 - Authorizes the issuance of City of Las Vegas General Obligation (Limited Tax) Various Purpose Refunding Bonds (Additionally Secured by Pledged Revenues) Series 2005B. Proposed by: Mark R. Vincent, Director of Finance and Business Services - All Wards

## RECOMMENDING COMMITTEE REPORT - DISCUSSION

### 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.**

77. Bill No. 2005-12 - Annexation No. ANX-5656 - Property location: On the west side of Al Carrison Street, 50 feet south of McNamee Avenue; Petitioned by: Michael E. Burke; Acreage: 2.08 acres; Zoned: R-A (County zoning), R-A (City equivalent). Sponsored by: Councilman Michael Mack
78. Bill No. 2005-14 - Authorizes the granting of a distance-separation waiver for a tavern to be located within a regional mall. Sponsored by: Councilman Larry Brown

## 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.**

79. Bill No. Z-2005-1 - Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (nonresidential). Proposed by: Margo Wheeler, Director of Planning and Development
80. Bill No. Z-2005-2 - Amends the City's Official Zoning Map Atlas by changing the zoning designations of certain parcels of land (residential). Proposed by: Margo Wheeler, Director of Planning and Development

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

### BUSINESS ITEMS - AFTERNOON

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

## HEARINGS - DISCUSSION

82. Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 601 S. Casino Center Boulevard. PROPERTY OWNERS: CLUB RENAISSANCE PARTNERS LLC - Ward 1 (Tarkanian)
83. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4300 Beth Avenue. PROPERTY OWNER: PAMELA C. MILLER TRUST - PAMELA C. MILLER TRS - Ward 5 (Weekly)
84. Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply located at 2740 Harris Avenue. PROPERTY OWNER: DOROTHE REEVES - Ward 3 (Reese)
85. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5801 W. Craig Road (APN: 138-01-312-002). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)
86. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5861 W. Craig Road (APN: 138-01-312-004). PROPERTY OWNERS: CONSTRUCTION GROUP INC - Ward 6 (Mack)

## HEARINGS - DISCUSSION

87. Hearing to consider the appeal regarding the Zoning Violations/Nuisance Notice and Order to Comply located at 5881 W. Craig Road (APN: 138-01-312-005). PROPERTY OWNERS: REGAL PLAZA LLC - C/O TOWER REALTY & DEV - Ward 6 (Mack)
88. ABEYANCE ITEM - Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply regarding 230 N. 8th Street (Units 230, 232, 234, 236, 238, and 240). PROPERTY OWNERS: A GRACE II INC - C/O R. KENNEDY - Ward 5 (Weekly)

## 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.**

89. EOT-6009 - APPLICANT: LDID - OWNER: ASIAN DEVELOPMENT, LLC - Request for an Extension of Time for an approved Variance (VAR-1916) TO ALLOW NO STEPBACKS WHERE STEPBACKS ARE REQUIRED AFTER THE FOURTH STORY IN THE TOWN CENTER DEVELOPMENT STANDARDS on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APNs 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL
90. EOT-6008 - APPLICANT: LDID - OWNER: ASIAN DEVELOPMENT, LLC - Request for an Extension of Time for an approved Special Use Permit (SUP-1915) FOR A FIFTEEN STORY OFFICE BUILDING WHERE TOWN CENTER DEVELOPMENT STANDARDS ALLOW A MAXIMUM OF TWELVE STORIES IN THE UC-TC (Urban Center Mixed-Use - Town Center) DISTRICT on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APNs 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL
91. EOT-6007 - APPLICANT: LDID - OWNER: ASIAN DEVELOPMENT, LLC - Request for an Extension of Time for an approved Site Development Plan Review (SDR-1914) FOR A FIFTEEN STORY OFFICE/RETAIL BUILDING WITH PARKING GARAGE on 3.08 acres adjacent to the north side of Deer Springs Way, approximately 330 feet west of Durango Drive (APNs 125-20-201-015, 017 and 018), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends APPROVAL
92. EOT-6046 - APPLICANT/OWNER: GOOD EARTH ENTERPRISE, INC. - Request for an Extension of Time for 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 (APNs 139-34-611-034, 036, 037 and 039), R-4 (High Density Residential) and C-2 (General Commercial) Zones, Ward 1 (Tarkanian). Staff recommends APPROVAL
93. EOT-6047 - APPLICANT/OWNER: GOOD EARTH ENTERPRISE, INC. - Request for an Extension of Time for 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 (APNs 139-34-611-036 and 037), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
94. EOT-6043 - APPLICANT: RENATO B. MORALES, JR. - OWNER: V R A A M, LLC - Request for a Reinstatement and Extension of Time for an approved Rezoning (Z-0062-02) FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 1.79 acres at 540 North Eastern Avenue (APN 139-36-110-003), Ward 3 (Reese). Staff recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

95. ROC-6073 - PUBLIC HEARING - APPLICANT: BRUCE A. MORRIS - OWNER: CALVARY COMMUNITY ASSEMBLY OF GOD - Request for a Review of Condition Number 1 of an approved Site Development Plan Review [Z-0086-99(1)] TO ELIMINATE THE REQUIREMENT FOR A DECORATIVE BLOCK WALL ALONG THE SOUTH PROPERTY LINE for an existing church on 11.22 acres at 2900 North Torrey Pines Drive (APNs 138-14-601-005, 006, 013 and 014), U (Undeveloped) Zone [PF (Public Facility) General Plan Designation] under Resolution of Intent to C-V (Civic) and C-V (Civic) Zone, Ward 5 (Weekly). Staff recommends DENIAL
96. ROC-6074 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC. - Request for a Review of Condition Number 22 of an approved Site Development Plan Review [Z-0076-98(20)], WHICH PROHIBITED CERTAIN USES, TO ELIMINATE THE CONDITION ENTIRELY for an approved commercial development on property located adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone, Ward 6 (Mack). Staff recommends DENIAL
97. ROC-6076 - PUBLIC HEARING - APPLICANT: DAVID VAN ZANTEN - OWNER: JAMES POLLINS - Request for a Review of Condition Number 6 of an approved Special Use Permit (SUP-5215) TO ELIMINATE THE REQUIREMENT TO REMOVE THE EXISTING OFF-PREMISE ADVERTISING SIGN ONE YEAR FROM THE ISSUANCE OF A LICENSE FOR A PROPOSED TAVERN at 9 West Charleston Boulevard (APN 162-03-110-109), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL
98. ROC-6081 - PUBLIC HEARING - APPLICANT/OWNER: MERITAGE HOMES - Request for a Review of Condition Number 3 of an approved Site Development Plan Review (SDR-1336) WHICH REQUIRES DEVELOPMENT TO BE IN CONFORMANCE WITH THE SITE PLAN AND BUILDING ELEVATIONS for a 66 lot single family development on 20.16 acres adjacent to the southeast corner of Grand Canyon Drive and Elkhorn Road (APN 125-19-599-014), R-PD3 (Residential Planned Development - 3 units per acre) Zone, Ward 6 (Mack). Staff recommends DENIAL
99. SDR-5611 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: USA - Request for a Site Development Plan Review FOR AN ELEMENTARY SCHOOL on 10.0 acres adjacent to the southwest corner of Campbell Road and Severence Lane (APN 125-17-401-002), T-C (Town Center) Zone [PF-TC (Public Facilities - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
100. SDR-5503 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: SHAG'S CARWASH - OWNER: HARRY & GERALDINE GORDON REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 3,208 SQUARE-FOOT CAR WASH/DRIVE-THROUGH DELI/COFFEE SHOP AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR MINIMUM FLOOR AREA RATIO, THE FRONT YARD BUILD-TO REQUIREMENT, MINIMUM GLAZING REQUIREMENT, MINIMUM GROUND-FLOOR RETAIL REQUIREMENT, UNDERGROUND UTILITIES AND SCREENING OF AUTO-RELATED FACILITIES on 0.23 acres adjacent to the east side of Main Street, approximately 175 feet north of Bonneville Avenue (APNs 139-34-311-001 and 002), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
101. SDR-5711 - PUBLIC HEARING - APPLICANT: SANSONE DEVELOPMENT - OWNER: BUREAU OF LAND MANAGEMENT - Request for a Site Development Plan Review FOR A 40,125 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF THE BUILD-TO LINE, FRONT LANDSCAPING; AND FRONT, SIDE AND REAR SETBACK STANDARDS on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive (APN 138-22-701-005), U (Undeveloped) [PF (Public Facilities) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL
102. SDR-5782 - PUBLIC HEARING - APPLICANT/OWNER: TRACIE J. LOCKETT-GREEN - Request for a Site Development Plan Review FOR PROPOSED CONVERSION OF AN 821 SQUARE-FOOT HOUSE TO A PROFESSIONAL OFFICE AND WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN REQUIREMENTS FOR UNDERGROUND UTILITIES, AND PARKING LOT AND STREETScape LANDSCAPING AND TREATMENTS on 0.17 acres adjacent to the southwest corner of Casino Center Boulevard and Hoover Avenue (APN 139-34-410-032), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

103. SDR-5835 - PUBLIC HEARING - APPLICANT/OWNER: KAREN M. BAILEY AND THOMAS PRATO - Request for a Site Development Plan Review FOR 1,710 SQUARE FEET OF PROPOSED PAINT BOOTHS ASSOCIATED WITH AN EXISTING MANUFACTURING/WAREHOUSE FACILITY AND WAIVERS OF PERIMETER, FOUNDATION, AND PARKING LOT LANDSCAPING REQUIREMENTS on 1.47 acres adjacent to the southwest corner of Charleston Boulevard and Commerce Street (APN 162-04-506-008), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
104. SDR-5883 - PUBLIC HEARING - APPLICANT: GREAT AMERICAN CAPITAL - OWNER: KING'S CROSSING, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 440-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 18.07 acres at 2150 North Tenaya Way (APN 138-22-601-001, 002 and 003), R-3 (Medium Density Residential) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
105. SDR-5890 - PUBLIC HEARING - APPLICANT: DESERT SHORES HOLDINGS, LLC - OWNER: DESERT SHORES L.L.C. - Request for a Site Development Plan Review FOR THE CONVERSION OF A 424-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 19.23 acres adjacent to the southeast corner of Rampart Boulevard and Cheyenne Avenue (APN 138-16-110-001), R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
106. SDR-5896 - PUBLIC HEARING - APPLICANT: AMSOURCE COMPANIES - OWNER: WAL-MART STORES, INC. - Request for a Site Development Plan Review FOR A PROPOSED 12,360 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF FOUNDATION LANDSCAPING AND THE 20-FOOT PERIMETER LANDSCAPING REQUIREMENT on 1.76 acres adjacent to the northeast corner of Craig Road and Jones Boulevard (APN a portion of 138-01-219-002), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
107. SDR-5898 - PUBLIC HEARING - APPLICANT: CHABAD HEBREW CENTER - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A TEMPORARY MODULAR HOUSE OF WORSHIP on 4.24 acres adjacent to the southwest corner of Vegas Drive and Durango Drive (APN a portion of 138-29-501-007), C-V (Civic) Zone, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL
108. SDR-5899 - PUBLIC HEARING - APPLICANT/OWNER: COLIN AND JENNIFER FRANK - Request for a Site Development Plan Review FOR A CHILD CARE FACILITY AND WAIVERS OF THE BUILD-TO STANDARD, FOUNDATION LANDSCAPING, AND PERIMETER LANDSCAPING on 0.65 acres adjacent to the southeast corner of Martin Luther King Boulevard and Miller Avenue (APN 139-21-510-078, 079), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
109. MOD-5854 - PUBLIC HEARING - APPLICANT: GREEN WORLD CLEANERS - OWNER: LONE MOUNTAIN PLAZA, LLC - Request for a Major Modification to the Lone Mountain Master Development Plan Use Table TO ADD "DRY CLEANERS" AS A PERMITTED USE IN NEIGHBORHOOD COMMERCIAL AND VILLAGE COMMERCIAL SPECIAL LAND USE DESIGNATIONS, Ward 4(Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
110. VAC-5834 - PUBLIC HEARING - OWNER/APPLICANT: BEAZER HOMES - Petition to Vacate U.S. Government Patent Easements generally located at the southeast corner of Elkhorn Road and Fort Apache Road, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
111. VAR-5825 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Variance TO ALLOW 3,000 SQUARE-FOOT MINIMUM SPACES WHERE 4,000 SQUARE FEET IS THE MINIMUM REQUIRED AND TO ALLOW 40-FOOT WIDE SPACES WHERE 45 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED MOBILE HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

112. SDR-5821 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: NEVADA BY DESIGN - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 51-PAD MOBILE/MANUFACTURED HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 15 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
113. VAR-5886 - PUBLIC HEARING - APPLICANT/OWNER: ERICH F. FELTON AND SARAH JAMES FELTON - Request for a Variance TO ALLOW A SIX-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED FOR AN EXISTING ATTACHED STORAGE SHED on 0.18 acres at 5320 Backwoodsman Avenue (APN 125-25-810-024), R-1 (Single Family Residential) Zone, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-3 vote) recommends APPROVAL
114. VAR-5888 - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 10-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
115. VAR-5889 - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Variance TO ALLOW A 154-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 165 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
116. SDR-5891 - PUBLIC HEARING - APPLICANT/ OWNER: BONANZA PINES III LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A 62-UNIT, FIVE-STORY SENIOR HOUSING DEVELOPMENT on 1.29 acres on the north side of Bonanza Road approximately 1,300 feet west of Lamb Boulevard (APN 140-30-802-007), R-E (Residence Estates) Zone under Resolution of Intent to R-5 (Apartment) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
117. SUP-4693 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL
118. SUP-5771 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: MIGUEL NUNEZ - OWNER: AGRELLA PROPERTIES, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE SALES) at 6700 West Charleston Boulevard, Suite F (APN 138-34-820-014), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
119. SUP-4930 - PUBLIC HEARING - APPLICANT: YOUR CREDIT, INC. D/B/A LAS VEGAS FINANCE - OWNER: SAHARA PAVILION NORTH U.S., INC. - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND FOR WAIVERS OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT BETWEEN SIMILAR USES, THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL USES AND THE 1,500 SQUARE-FOOT MINIMUM FLOOR AREA REQUIREMENT at 4750 West Sahara Avenue, Suite V29 (APN 162-06-402-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

## PLANNING & DEVELOPMENT - DISCUSSION

120. SUP-5868 - PUBLIC HEARING - APPLICANT: VIENGSAMAI MONSAY - OWNER: ZELZAH SHRINE TEMPLE - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB AND A WAIVER OF THE 400-FOOT MINIMUM SEPARATION DISTANCE REQUIREMENT FROM AN EXISTING PARK at 2327 South Eastern Avenue (APN 162-01-401-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). (NOTE: Item to be heard in conjunction with Morning Session Item 54) The Planning Commission (7-0 vote) and staff recommend APPROVAL
121. SUP-5895 - PUBLIC HEARING - APPLICANT: LAGUNA RESTAURANTS, LLC - OWNER: SEA BREEZE VILLAGE, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR at 1750 N. Buffalo Drive (APN 138-22-418-008), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
122. ZON-5809 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Request is now for R-PD8)
123. VAR-5810 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Variance TO ALLOW 0.51 ACRES OF OPEN SPACE WHERE 1.09 ACRES IS THE MINIMUM AMOUNT REQUIRED IN CONJUNCTION WITH A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)
124. SDR-5807 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: REGAL VILLAGE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 66 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.86 acres adjacent to the north side of Ann Road, approximately 290 feet west of Rainbow Boulevard (APN 125-27-803-008), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL. (NOTE: Application is for 58 units)
125. ZON-5849 - PUBLIC HEARING - APPLICANT/ OWNER: BRADLEY VILLAS, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL
126. WVR-5850 - PUBLIC HEARING - APPLICANT/ OWNER: BRADLEY VILLAS, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 175 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
127. GPA-5597 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request to amend a portion of the Southeast Sector Map of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
128. ZON-5598 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

**PLANNING & DEVELOPMENT - DISCUSSION**

129. SUP-5600 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
130. SDR-5599 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI - Request for a Site Development Plan Review FOR A PROPOSED 1,880 SQUARE-FOOT COMMERCIAL BUILDING AND WAIVERS TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED; A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED; AND OF PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL
131. GPA-5612 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA - Request to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
132. ZON-5613 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. SDR-5614 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: UNITED STATES OF AMERICA - Request for a Site Development Plan Review FOR A PROPOSED PUBLIC SCHOOL, PRIMARY on 15.02 acres adjacent to the south side of Horse Drive, approximately 290 feet west of Bradley Road (APN 125-12-301-005), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic) Zone], Ward 6 (Mack). The Planning Commission (6-1 vote) recommends DENIAL. Staff recommends APPROVAL
134. GPA-5814 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
135. ZON-5816 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
136. VAR-5819 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Variance TO ALLOW 0.38 ACRES OF OPEN SPACE WHERE 0.78 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 47-UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [Proposed R-PD9 (Residential Planned Development - 9 Units Per Acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

**PLANNING & DEVELOPMENT - DISCUSSION**

- 137. SDR-5815 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: B-A.S.K.D. #2 NEVADA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 47-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.30 acres adjacent to the east side of Torrey Pines Drive, approximately 230 feet south of Lake Mead Boulevard (a portion of APN 138-23-720-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) [Proposed: R-PD9 (Residential Planned Development - 9 Units Per Acre) Zone], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
- 138. GPA-5820 - PUBLIC HEARING - APPLICANT: RCD HOLDINGS, LLC - OWNER: THE BORSACK GROUP, INC., ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 10.76 acres adjacent to the northwest corner of Ann Road and Balsam Street (APN 125-27-802-002, 003, 004, 005; 125-27-802-008, 009, 012 and 014), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 139. ZON-5880 - PUBLIC HEARING - APPLICANT: RCD HOLDINGS LLC - OWNER: JUDIE K. COLLINS, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO O (OFFICE) AND R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO O (OFFICE) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT- 8 UNITS PER ACRE) on 10.76 acres adjacent to the northeast corner of Rio Vista Street and Ann Road (APN 125-27-802-002 through 005, 008, 009, 012 and 014), Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL
- 140. SDR-5881 - PUBLIC HEARING - APPLICANT: RCD HOLDINGS LLC - OWNER: JUDIE K. COLLINS, ET AL - Request for a Site Development Plan Review FOR A 93-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.76 acres adjacent to the northeast corner of Rio Vista Street and Ann Road (APN 125-27-802-002 through 005, 008, 009, 012 and, 014), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) and R-E (Residence Estates) Zone under Resolution of Intent to O (Office) Zone, [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre) Zone], Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**SET DATE**

- 141. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**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

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

- City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
- Court Clerk's Office Bulletin Board, City Hall Plaza
- 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 Notice of Deposit of  
the Bond Ordinance)**

RECEIVED  
CITY CLERK

2005 MAR 15 A 11:02

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, 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  
3883160

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/05/2005 to 03/05/2005, on the following days: MARCH 5, 2005

Signed:

*Donna Stark*

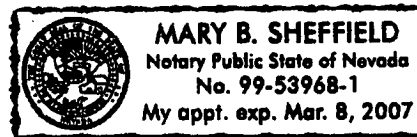
SUBSCRIBED AND SWORN BEFORE ME THIS THE

14

day of March 2005

Notary Public

*Mary B. Sheffield*



BILL NO. 2005-16

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 March 2, 2005, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on March 16, 2005.

/s/ Barbara Jo Ronemus  
City Clerk  
PUB: March 5, 2005  
LV Review-Journal

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

RECEIVED  
CITY CLERK

2005 MAR 25 P 1:17

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, 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  
3909191

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was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 03/19/2005 to 03/19/2005, on the following days: MARCH 19, 2005

**BILL NO. 2005-16**  
**ORDINANCE NO. 5758**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE RE-FUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2005B," FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING BONDS OF THE CITY; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; AND PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on March 2, 2005, and was passed at the meeting held on March 16, 2005, by the following vote of the City Council:

Those Voting Aye:  
Oscar Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Michael Mack  
Steve Wolfson  
Lois Tarkanian  
Those Voting Nay: None  
Those Absent: None

This Ordinance shall be in full force and effect from and after the 20th day of March, 2005.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only. DATED this March 16, 2005.

/s/ Oscar Goodman,  
Mayor  
Attest: /s/ Barbara Jo Romemus, City Clerk  
PUB: March 19, 2005  
LV Review-Journal

Signed: \_\_\_\_\_

*Donna Stark*

SUBSCRIBED AND SWORN BEFORE ME THIS THE \_\_\_\_\_

24

day of \_\_\_\_\_ 2005

*March*

Notary Public

*Mary B. Sheffield*

