

Summary - an ordinance authorizing the issuance of the City of Las Vegas, Nevada General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues), Series 1997B.

**BILL NO. 97-80**

**ORDINANCE NO. 5028**

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B," FOR THE PURPOSE OF FINANCING THE M\*A\*S\*H CENTER AND PARK AND RECREATIONAL PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 (the "Council") has determined and does hereby declare pursuant to Nevada Revised Statutes ("NRS") Chapter 377, §§ 2.350 and 7.020 of its Charter (collectively the "Project Act"), the City is authorized and empowered pursuant to NRS 377.080 to use 15 percent of the proceeds of the Supplemental City-County Relief Tax received by the City pursuant to NRS 377.057, and effective July 1, 1998, 15 percent of the proceeds of other taxes distributed to the City, including liquor taxes, tobacco taxes, real property transfer taxes, basic motor vehicle privilege taxes and basic and supplemental sales taxes pursuant to Chapter 660, Statutes of Nevada 1997 (the "Pledged Revenues") to issue bonds to finance all or a portion of the cost of improving the M\*A\*S\*H (Mobilized Assistance and Shelter for the

Homeless) Center and acquiring, constructing, improving, and equipping park and recreational projects (including, without limitation, land therefor) within the City (the "Project"); and

**WHEREAS**, there remain unpaid and outstanding certain bonds previously issued by the City designated as "City of Las Vegas, Nevada, General Obligation (Limited Tax) Multifamily Housing Bonds (Additionally Secured by Pledged Revenues), Series November 1, 1993" (the "1993 Bonds") and the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series March 1, 1996 (the "1996 Bonds"), which 1993 Bonds and 1996 Bonds are secured, on a parity basis with the bonds authorized to be issued by this Ordinance, by the revenues derived from the Pledged Revenues; and

**WHEREAS**, there are no Outstanding obligations other than the 1993 Bonds and the 1996 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 1993 Bonds or the 1996 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 finance the Project and issue, as evidence thereof, bonds payable from Pledged Revenues; 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**, pursuant to NRS 350.001 to 350.006, inclusive, as amended, the City has submitted to the Debt Management Commission of Clark County (the "Commission") the City's proposal to issue its general obligation bonds (the "Proposal"); and

**WHEREAS**, the Commission has heretofore approved the Proposal; and

**WHEREAS**, subsection 3 of NRS 350.020, states:

"3. If payment of a general obligation of the municipality is additionally secured by a pledge of gross or net revenues of a project to be financed by its issue, and the governing body determines, by an affirmative vote of two-thirds of

the members elected to the governing body, that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, without regard to any option reserved by the municipality for early redemption, the municipality may, after a public hearing, incur this general obligation without an election unless, within 60 days after publication of a resolution of intent to issue the bonds, a petition is presented to the governing body signed by not fewer than 5 percent of the registered voters of the municipality who together with any corporate petitioners own not less than 2 percent in assessed value of the taxable property of the municipality. . . . The determination by the governing body becomes conclusive on the last day for filing the petition. . . . ;"

and

**WHEREAS**, the City has determined and does hereby determine that, based upon studies and reports pertaining thereto, the Pledged Revenues (as herein defined) 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 the Proposal, without regard to any option reserved by the City for early redemption; and

**WHEREAS**, pursuant to a resolution passed and adopted by the City designated as the "Resolution of Intent to Issue Various Purpose Bonds" notice of adoption of that resolution of intent to issue the bonds and notice of a public hearing were published in a newspaper of general circulation in the City; and

**WHEREAS**, a public hearing has been held and the time within which to present a petition to the City requesting an election has expired; and

**WHEREAS**, by the "Resolution of Intent to Issue Various Purpose Bonds", the City also authorized the City Treasurer or his designee to arrange for the issuance and sale of the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues), Series 1997B" (the "Bonds") and authorized the terms of the Bonds, the method of their sale, the final principal amount of the Bonds, the terms of their repayment and security therefor, and other details of the Bonds, subject to, among other conditions, the adoption by the City of this Ordinance specifying the Bond terms and details and

approving their sale; and

**WHEREAS**, after mailed notice inviting sealed bids for the purchase of the Bonds, the City Finance Director, as the chief financial officer of the City, is hereby authorized to receive and publicly open sealed bids and sell the Bonds to the best bidder therefor (the "Purchaser"), and the City Finance Director 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 three percent over the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds, at a price equal to the principal amount thereof plus accrued interest to the date of delivery of the Bonds plus a premium or less a discount not to exceed 9 percent of the principal amount of the Bonds, all as specified by the City Finance Director in a certificate dated on or before the date 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;

B. Each of the limitations and other conditions to the issuance of the Bonds in the Charter, the Project 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; and

C. This ordinance pertains to the sale, issuance and payment of the Bonds; this declaration shall be conclusive in the absence of fraud or gross abuse of discretion in accordance with the provisions of NRS § 350.579(2).

**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 "Various Purpose 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:

(1) "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.

(2) "Acquisition Fund" or "1997 Acquisition Fund" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, Project and Acquisition Fund," created in § 401C hereof.

(3) "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 1993 Bonds and 1996 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.

(4) "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.

(5) "Bond Fund" or "1997 Bond Fund" means the special account designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, 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.

(6) "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.

(7) "Bonds" means the securities issued hereunder and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues), Series 1997B."

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

(9) "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.

(10) "City-County Relief Tax Act" means, collectively, NRS Chapter 377, as amended from time to time, as implemented by the City pursuant to the Charter, as amended from time to time.

(11) "Clerk" or "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.

(12) "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 determined by an Independent Accountant, an independent feasibility consultant or the City Finance Director. 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 City Finance Director if expressly so required.

(13) "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.

(14) "Cost of the Project" means all or any part designated by the City of the cost of the Project, or interest in the improvements being acquired, 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 in the making of surveys, audits, preliminary plans, other plans, specifications, estimates of costs, and other preliminaries;

(c) The costs of premiums on builders' risk insurance and performance bonds, or a reasonably allocable share thereof;

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

(e) 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;

(f) The costs of contingencies;

(g) 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;

(h) 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;

(i) 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;

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

(k) The costs of demolishing, removing or relocating any buildings, structures or other facilities on land acquired for the Project, and of acquiring lands to which such buildings, structures or other facilities may be moved or relocated; and

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

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

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

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

(18) "Events of Default" means the events stated in § 1103 hereof.

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

(20) "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.

(21) "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.

(22) "General Tax Interest Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, General Tax Interest Fund," created in § 501 hereof.

(23) "General Tax Principal Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, General Tax Principal Fund," created in § 501 hereof.

(24) "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).

(25) "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.

(26) "improve" or "improvement" means the acquisition, construction, reconstruction, improvement and equipment or any combination thereof; of the Project, or the acquisition of any properties, structures, fixtures, furniture and equipment relating to the Project, or an interest therein, but does not mean reconditioning, patching, general maintenance or other minor repair occurring periodically at annual or shorter intervals.

(27) "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 1993 Multifamily Housing Bond Ordinance and continued herein which shall be held separate and apart from the Bond Fund.

(28) "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.

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

(30) "NRS" means Nevada Revised Statutes.

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

(32) "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 §§ 304 or 1209 hereof.

(33) "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.

(34) "parity bonds" or securities" means the 1993 Bonds, 1996 Bonds 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 herein authorized.

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

(36) "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.

(37) "Pledged Revenues" means the 15% portion of all income and revenue derived by the City from the levy of the Supplemental City-County Relief Tax imposed pursuant to the City-County Relief Tax Act which portion has heretofore been pledged to the 1996 Bonds and the 1993 Bonds, and which tax is imposed on retailers at the rate of one and three-quarters percent (1.75%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed, in the State and a portion of which is distributed to the City in accordance with the City-County Relief Tax Act.

Effective July 1, 1998, as provided in NRS 377.080, there shall be substituted for such 15% portion of all income and revenue derived by the City from the levy of the Supplemental City-County Relief Tax, 15% of the revenue distributed pursuant to Sections 10, 11 and 12 of Chapter 660, Statutes of Nevada 1997.

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 Supplemental City-County Relief Tax and taxes distributed pursuant to Sections 10, 11 and 12 of Chapter 660, Statutes of Nevada, 1997, to the City if the Council is authorized to include and elects to include the additional taxes in "Pledged Revenues" for the remaining term of the Bonds.

The Council hereby elects, effective July 1, 1998, to include in the definition of Pledged Revenues for the 1993 Bonds, the 1996 Bonds, the Bonds and any Outstanding parity bonds hereafter issued, 15% of all income and revenues from taxes received by the City, pursuant to Sections 10, 11 and 12 of Chapter 660, Statutes of Nevada 1997.

(38) "Project" means the improvement of the M\*A\*S\*H (Mobilized Assistance and Shelter for the Homeless) Center and the acquisition, construction, improvement and equipment of park and recreational projects with the City, including, without limitation, real property, structures, fixtures and equipment therefor and all appurtenances and incidentals necessary, useful or desirable thereto.

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

(40) "Rebate Fund" means the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, Rebate Fund" created in § 607 hereof.

(41) "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.

(42) "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.

(43) "Registrar" means The treasurer of the City, or any successor paying agent for the Bonds which may be appointed by the City Council.

(44) "Regular Record Date" means the fifteenth day of the calendar month next preceding each interest payment date.

(45) "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.

(46) "State" means the State of Nevada, in the United States.

(47) "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 herein authorized.

(48) "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 herein authorized.

(49) "Tax Code" means the Internal Revenue Code of 1986, as amended.

(50) "Taxes" means General Taxes.

(51) "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.

B. 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 insurer of the Bonds (if any), 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 BY THE CITY OF ITS NEGOTIABLE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B," FOR THE PURPOSE OF FINANCING THE M\*A\*S\*H CENTER AND PARK AND RECREATIONAL PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 27, 1997, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 10, 1997.

/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 Clerk, this Ordinance shall be published once by its title only, together with the names of the Councilmembers voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper 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 BY THE CITY OF ITS NEGOTIABLE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B," FOR THE PURPOSE OF FINANCING THE M\*A\*S\*H CENTER AND PARK AND RECREATIONAL PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; PROVIDING OTHER MATTERS RELATING THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on October 27, 1997, and was passed at the meeting held on November 10, 1997, by the following vote of the City Council:

Those Voting Aye:

Jan Laverty Jones  
Arnie Adamsen  
Michael J. McDonald  
Gary Reese  
Larry Brown

Those Voting Nay:

\_\_\_\_\_

Those Absent:

\_\_\_\_\_

This Ordinance shall be in full force and effect from and after the \_\_\_\_ day of November, 1997, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this November 10, 1997.

/s/ Jan Laverty Jones  
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:

B. 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 11 years from November 1, 1997, and

C. 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. Acceptance of Offer; Authorization of Use of Preliminary and Final Official Statements. In accordance with the Project Act and with this Ordinance, the City Finance Director is authorized to accept the Bond Purchase Proposal for the Bonds submitted by the Purchaser; distribution, use of and execution of the Preliminary Official Statement is hereby authorized, ratified and confirmed; 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 City Treasurer by his execution of the Final Official Statement, is hereby authorized.

Section 205. Authorization of Project. The City does hereby determine to proceed with the acquisition of the Project as hereinabove delineated; and the Project is hereby so authorized.

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; they 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.

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 Bonds (Additionally Secured by Pledged Revenues), Series 1997B," in the original aggregate principal amount of \$10,000,000, are hereby authorized to be issued, pursuant to the Project Act and the Bond Act; and 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 fifteenth of the month preceding the date of delivery of the Bonds. Except as provided in § 305 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 at the rates shown in the Certificate of the Finance Director from their date until their respective fixed maturity dates, payable on May 1 and November 1 of each year, commencing on May 1, 1998, except that Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates shown in the Certificate of the Finance Director 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, the Bonds. The Bonds shall mature on November 1 in the amounts and years as designated in the Certificate of the Finance Director.

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 § 305

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 each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the registered owner 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; but any such interest 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 303. Negotiability. Subject to § 305 hereof and to the registration provisions herein provided, 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 304. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in § 305 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 upon request.

Section 305. Custodial Deposit.

A. Notwithstanding the foregoing provisions of §§ 302 to 304 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 306. 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 by facsimile

signature, the Mayor of the City Council of the City, the City Clerk and the City Treasurer shall each file with the Secretary of State of the State of Nevada 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 307 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 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 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 308. 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 309. 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 310. 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 311. Bond Delivery. After such registration of the Bonds by the Treasurer and Registrar pursuant to § 304 and after their execution and authentication pursuant to § 306 and other provisions herein supplemental thereto, the 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 312. 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

**UNITED STATES OF AMERICA**

**STATE OF NEVADA  
CITY OF LAS VEGAS, NEVADA  
GENERAL OBLIGATION (LIMITED TAX)  
VARIOUS PURPOSE BOND  
(ADDITIONALLY SECURED BY PLEDGED REVENUES)  
SERIES 1997B**

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

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated As Of</u>	<u>CUSIP</u>
___% per annum	November 1, __	_____ 1, 1997	

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 May 1 and November 1 of each year commencing on May 1, 1998, 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, Las Vegas, Nevada, which is also now acting as the City's registrar for the Bonds (the "Registrar") by the Paying Agent. 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 fifteenth day of the

calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner 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.

\*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 City's ordinance designated by the short title "Various Purpose Bond Ordinance," adopted and approved on November 10, 1997 authorizing the issuance of the Bonds (the "Ordinance").\*

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

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

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 defraying wholly or in part, the cost of improving the M\*A\*S\*H Center and acquiring, constructing, improving and equipping park and recreational projects within 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 Bonds, Series 1997B, 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, 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, and as implemented by the City pursuant to the City Charter, as amended from time to time, and 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 \_\_\_\_\_ 1, 1997.

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 305(A)(3) of this Ordinance.
- \*\* Insert only if Bonds are initially delivered to the Depository Trust Company pursuant to Section 305(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)

\*(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)\*

(Form of Legal Opinion Certificate)

COUNTY OF CLARK        )  
  ) ss.  
CITY OF LAS VEGAS`    )

I, the undersigned City Clerk, City of Las Vegas in the County of Clark and in the State of Nevada, do hereby certify that the following approving legal opinion of Swendseid & Stern, a member in Sherman & Howard L.L.C., Attorneys at Law, to wit:

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

is a true, perfect and complete copy of a manually executed and dated copy thereof on file in the records of the City in my office; that manually executed and dated copies of the opinion were forwarded to a representative of the original purchasers and that the opinion was dated and issued as of the date of original delivery of and payment to the City for the Bonds of the series of which this Bond is one.

IN WITNESS WHEREOF, I have caused to be hereunto set my manual or facsimile signature.

(Manual or Facsimile Signature)  
City Clerk

(End of Form of Legal Opinion Certificate)

ARTICLE IV  
USE OF BOND PROCEEDS AND RESERVE FUNDS

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:

B. Bond Fund. First, 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 Bonds, Series 1997B, Pledged Revenues, Interest and Principal Retirement Fund," all moneys, if any, received as accrued interest on the Bonds from their sale by the City from the date of the Bonds to the date of their delivery to the Purchaser and as a premium, if not needed for the Cost of the Project, 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.

C. Extraordinary Maintenance Fund. Second, except as herein otherwise expressly provided, from the proceeds of the Bonds, or from other available revenues of the City, the City shall deposit in one or more accounts in the City's extraordinary maintenance fund created pursuant to NRS 354.6105, an amount equal to one-half of one percent of the proceeds of the Bonds to be used for the extraordinary maintenance, repair or improvement of the Project or any facilities which replace the Projects or as otherwise set forth in NRS 354.6105, as amended.

D. Acquisition Fund. Third, except as herein otherwise expressly provided, the proceeds derived from the sale of the Bonds remaining after the deposits required by subsections A and B of this section have been made, shall be credited to a separate account hereby created and to be known as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various

Purpose Bonds, Series 1997B, Project and Acquisition Fund".

Section 402. Moneys for Project. All moneys received and held by the City for the Project from all sources, including, without limitation, the Bond proceeds deposited therein and any surplus Pledged Revenues appropriated by the City for that purpose shall be deposited in the Acquisition Fund and except as herein otherwise expressly provided, shall be used and paid out solely for the purpose of defraying the Cost of the Project, including, without limitation, the costs of issuing the Bonds.

Section 403. Modifications in Project. The City reserves the right to make alterations, amendments, additions to and deletions from the Project before the withdrawal of all moneys accounted for in the Acquisition Fund, hereinabove created in § 401B hereof.

Section 404. Prevention of Bond Default. The City Treasurer shall use any Bond proceeds credited to the Acquisition Fund 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 Mayor of any such use. Any moneys so used shall be restored to the Acquisition Fund, 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 Acquisition Fund are no longer needed to pay the Cost of the Project, upon the direction of the City Finance Director, the City Treasurer shall cause to be transferred to the Bond Fund all surplus moneys remaining in the Acquisition Fund, if any, except for any moneys designated by the City 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.

Nothing herein:

A. Periodic Transfers. Prevents the Treasurer from causing to be transferred from the Acquisition Fund to the Bond Fund any moneys which will not be necessary for the Project; nor

B. Limitations upon Transfers. Requires the transfer to the Bond Fund from the Acquisition Fund of any moneys in the Acquisition Fund derived from a source other than Bond proceeds.

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 of the Bonds, 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 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 Bonds, Series 1997B, General Tax Principal Fund" (the "1997 General Tax Principal Fund" or the "General Tax Principal Fund") and as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds, Series 1997B, General Tax Interest Fund" (the "1997 General Tax Interest Fund" or the "General Tax Interest Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, there shall be levied in the calendar year 1998 (if necessary to implement this Ordinance), and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City 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 § 911 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, 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 Rebate Fund, are hereby pledged to secure the payment of the Bond Requirements of the Bonds; and 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 1993 Bonds, 1996 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 607 hereof.

Section 604. Superior Bond Fund and 1993, 1996 and 1997 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 and reserve 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 by § 604 B of the 1993 Multifamily Housing Bond Ordinance with respect to the 1993 Bonds and § 604 B of the Redevelopment Projects Bond Ordinance with respect to the 1996 Bonds:

1. Monthly, commencing on the first 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 on the first 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, 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.

The moneys credited to the Bond Fund shall be used to pay the Bond Requirements of the Bonds as the Bond Requirements become due.

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 1993 Bonds, 1996 Bonds, 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 1993 Bonds, 1996 Bonds 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, concurrently with the requirements of the ordinances authorizing the 1993 Bonds and 1996 Bonds to make deposits to the rebate funds for the 1993 Bonds and 1996 Bonds, 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 Bonds, Series 1997B, 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 § 922 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 § 922 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.

Section 702. Places and Times of Deposits. Each of the special accounts hereinabove designated in Articles IV and VI hereof 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 Agent 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, 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. 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 Acquisition Fund.

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 on the 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 1993 Bonds, the 1996 Bonds 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):

B. 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.

C. 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 November of the year in which any then Outstanding Bonds last mature) of the Outstanding 1993 Bonds, the Outstanding 1996 Bonds, the 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 City 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.

D. 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 City Finance Director, independent feasibility consultant or Independent Accountant making the computations under this Section, which loss or gain results from any change in the rate of the levy of that part of the taxes constituting a part of the 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 City 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 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. 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. Adequacy and Applicability of Pledged Revenues. There shall be imposed the taxes constituting the Pledged Revenues. Fifteen percent of the amount thereof distributed to the City pursuant to the City-County Relief Tax Act is expected to generate an amount sufficient to produce Pledged Revenues to pay in each Fiscal Year:

B. Principal, Interest and Reserves. An amount equal to the sum of the annual principal and interest requirements on the Bonds and any other securities payable from the Pledged Revenues in that year and any amounts required to be accumulated from the Pledged Revenues in such Bond Year into any reserves for such securities;

C. Deficiencies. Any amounts required to meet then existing deficiencies relating to any account relating to the Pledged Revenues or any securities payable therefrom; but the foregoing rate maintenance covenant is subject to compliance by the City with any legislation of the United States or the State or any regulation or other action taken by the Federal Government or any State agency or public body of the State pursuant to such legislation, in the exercise of the police power thereof for the public welfare, which legislation, regulation or action limits or otherwise inhibits the amounts of fees, rates and other charges due to the City as a result of the imposition of the taxes constituting the Pledged Revenues, including, without limitation, increases in the amounts of such charges. All of such Pledged Revenues shall be subject to distribution to the payment of the Bond Requirements of all securities payable from the Pledged Revenues, including reasonable reserves therefor, as herein provided and the payment of expenses of the Project.

Section 916. Collection of Taxes Constituting Pledged Revenues. The Council, on behalf of the City: shall cause the Pledged Revenues, to be collected as soon as reasonable, shall prescribe and enforce rules and regulations or impose contractual obligations for the payment thereof, including without limitation, the imposition of penalties for any defaults, to the

end that the Pledged Revenues shall be adequate to meet the requirements of this Ordinance and of any other instruments supplemental hereto.

Section 917. Levy of Charges. The City shall continue to establish, fix and levy the rates and other charges which are required by § 915 hereof, if such action is necessary therefor. The City shall not agree to any reduction in the initial or existing levy of taxes constituting Pledged Revenues unless:

A. No Default. The City has fully complied with the provisions of Article VI hereof for at least the full Fiscal Year immediately preceding such reduction of the rate; and

B. Sufficient Revenues. The estimated revenues resulting from the proposed rate, after its proposed reduction for the Project shall be sufficient in the full Fiscal Year immediately preceding such reduction to meet the obligation of § 915 hereof.

Section 918. 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 919. 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 920. 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 921. 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 922. 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 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 Bond have been duly paid, the pledge and lien and all obligations hereunder as to that Bond shall thereby be discharged and the Bond 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 Bond 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 the Bond or other security, as the same become due to the final maturity of the Bond or other security, 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 Clerk and Treasurer of the City, 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, without limitation, the printing on each Bond of a certified true copy of bond counsel's approving opinion and, if requested by the Purchaser, a statement of insurance, if applicable, pertaining to the Bonds; and

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

- (1) The signing of the Bonds,
- (2) The tenure and identity of the officials of the City,
- (3) The delivery of the Bonds to The Depository Trust Company 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, and
- (6) The accuracy and completeness of the statements made in the Final Official Statement.

C. Bond Purchase Proposal. The execution of the Bond Purchase Proposal for the purchase of the Bonds by the City Finance Director in accordance with the provisions of this Ordinance and NRS 350.105 to 350.195, inclusive.

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 a 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 books 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 or an officer or employee of the City. 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 hereunder. No resignation or dismissal of the Registrar or the

Paying Agent may take effect until a successor is appointed.

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 in substantially the form now on file with the City Clerk to be executed by the City Treasurer and delivered in connection with the delivery of the Bonds.

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":

B. Nonpayment of Principal. Payment of the principal of any of the Bonds;

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

D. 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;

E. 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;

F. 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

G. 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 1996 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 insurer of the Bonds, 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 the insurer of the Bonds, if any, or all owners of the Bonds adversely and materially affected thereby:

B. 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

C. 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

D. 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

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

F. 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:

A. Publication. By publication one time in each:

(1) A newspaper published and of general circulation in the City of Las Vegas, Nevada, and

(2) A financial newspaper or journal published in the City of New York, in the State of New York, as determined by the City; and

B. Mailing. By mailing to each:

(1) The insurer of the Bonds, if any,

(2) 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 Clerk for public inspection.

Section 1204. Time for Amendment. Whenever at any time within one year from the date of the publication of such notice in the City of New York, New York, there shall be filed in the office of the Clerk an instrument or instruments executed by the insurer of the Bonds, if any, or 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 insurer of the Bonds, if any, or 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 insurer

or owner of any Bond, whether or not the insurer or 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 insurer of the Bonds, if any, or 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 publication of the notice above provided for in paragraph 2 of § 1203 A hereof, and shall be conclusive and binding upon all future insurers and owners of the same Bond during that period. The consent may be revoked at any time after 6 months from the date of the publication of the notice in a financial newspaper or journal published in New York, New York, by the owner who gave the consent or by a successor in title by filing notice of the revocation with the Clerk, but the revocation shall not be effective if the insurer of the Bonds, if any, or 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 Clerk of an instrument to that effect and with the consent of the insurer of the Bonds, if any, or 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, either by mailing or publication, 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 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,

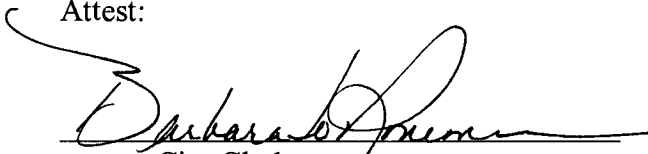
and the City shall not be entitled with respect to such Bonds to give any consent or to take any other action provided for in this Article, pursuant to paragraph (4) of § 102B hereof.


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 Clerk, suitable notation shall be made on the Bond by the Clerk 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.

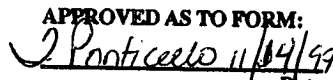
Section 1210. Proof of Ordinances and Bonds. The fact and date of execution of any instrument under the provisions of this Article, the amount and number of the Bonds held by any Person executing the instrument, and the date of his holding the same may be proved as provided by § 1004 hereof.

(SEAL)

Attest:

  
Barbara A. Brown  
City Clerk

  
Mayor

APPROVED AS TO FORM:  
  
Date 11/14/97

This Ordinance shall be in full force and effect from and after November 14<sup>TH</sup>, 1997, i.e., the date after the publication of such ordinance by its title.

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 October 27, 1997, and finally adopted and approved on November 10, 1997.

2. The following members of the Council were present at the October 27, 1997 Council meeting:

Mayor:	Jan Laverty Jones
Councilmembers:	Arnie Adamsen
	Michael J. McDonald
	Gary Reese
	Larry Brown

3. The foregoing Ordinance was first proposed and read by title to the City Council on October 27, 1997, and referred to a committee composed of the Councilmen McDonald and Brown for recommendation; thereafter the said committee reported favorably on said Ordinance on November 10, 1997, 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 November 10, 1997 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Jan Laverty Jones
	Arnie Adamsen
	Michael J. McDonald
	Gary Reese
	Larry Brown
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 October 27, 1997, and November 10, 1997. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

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

and

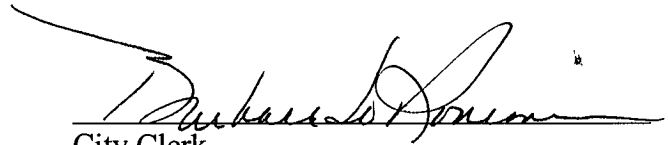
(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on October

27, 1997, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on November 10, 1997, 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 November 10, 1997.



City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of October 27, 1997 Meeting)

# AGENDA

# City of Las Vegas

CITY COUNCIL

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

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

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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.

**OCTOBER 27, 1997**

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

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

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

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

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

## I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - PASTOR THOMAS UNMACHT, The Lakes Lutheran Church
- PLEDGE OF ALLEGIANCE
- PROCLAMATION PRESENTATION DECLARING OCTOBER 27 THROUGH 31 AS NEVADA CONSUMER AWARENESS WEEK

## II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.
2. Approval of the Final Minutes by Reference of the Regular City Council Meeting of September 22, 1997, Special Council Meeting of September 10, 1997 and Council Workshop of September 17, 1997.
3. Discussion and possible action to create a Citizens Advisory Committee to make recommendations to the City Council regarding the number and nature of seats on the Las Vegas City Council.
4. Discussion and possible action to rescind action taken by the City Council on May 27, 1997 approving of a petition to the registered voters of the City of Las Vegas regarding the number of Council Wards in the City of Las Vegas.

## III. CONSENT AGENDA

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

**CITY ATTORNEY - CONSENT**

5. Approval of Regional Flood Control District Interlocal Contract for Construction of the Upper Washington Avenue Conveyance System From Sagman Street to Bonanza Road.
6. Approval of Regional Flood Control District Supplemental Interlocal Contract for the Construction of the Oakey Storm Drain Between Interstate 15 and Decatur Boulevard.

**DEPARTMENT OF FINANCE & BUSINESS SERVICES - CONSENT**

7. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments.
8. Settlement agreement between the City and Valley Hospital Medical Center regarding overpayment of business license fees.

**Child Care Facility Applications (Approved by the Child Care Licensing Board on October 8, 1997)**

**Family Homes**

9. Elizabeth Ann Dillon, 6808 White Sands Avenue, 6 children days/2 nights
10. Tamara Lynn Meyer, 1220 Barton Green Drive, 4 children days
11. Marilyn Tanner, 1100 Freeman, 6 children days/5 nights/3 before & after school

**Liquor- New**

12. Package License, The Vons Companies, Inc., dba Vons Grocery Company (Store #392), 7530 West Lake Mead Boulevard, Richard E. Goodspeed, Pres, Lyman C. Gordon, Sr VP, CFO, Secy, Harvey K. Naito, Treas, Dean A. Little, District Mgr, Subject to the provisions of the planning and fire codes and Health Department regulations

**Liquor - Approval of Officers & Manager**

13. Package Licenses, The Vons Companies, Inc., dba Vons #192, 4440 East Charleston Boulevard, Vons #194, 390 South Decatur Boulevard, Vons #195, 6000 West Cheyenne Avenue, Vons #198, 4610 West Sahara Avenue, Vons #393, 4854 West Lone Mountain Road, Vons #398, 1061 West Owens Avenue, Richard E. Goodspeed, Pres, Lyman C. Gordon, Sr VP, CFO, Secy, Harvey K. Naito, Treas, Dean A. Little, District Mgr

**Liquor - Change of Ownership/Change of Business Name**

14. Tavern License, From: M.D.C. Enterprises, Inc., dba The Club Diamond, Daniel Colich, Dir, Pres, Treas, 50%, Adele C. Colich, Dir, Secy, 50%, To: Nevada Restaurant Services, Inc., dba Doty's #7, 2101 South Decatur Boulevard, Richard C. Estey, Pres, 80%, Kathrine L. Estey, Secy, Treas, 17%, Timothy J. Harris, VP, Gen Mgr, 3%, Subject to the provisions of the planning and fire codes and Health Department regulations

**Liquor - Change of Business Name**

15. Beer/Wine/Cooler Off-Sale License, Operations Management Group, Inc., dba From: Turtle Stop #11, To: MLK Mobil Mart, 1600 North Martin L. King Boulevard, David L. Washington, Dir, Pres, 16.666%, Michele S. Pori, Dir, Secy, 25%, Mark P. Phillips, Dir, Treas, 16.666%, Loretta Arrington Hall, Dir, 16.666%, Ernest M. Fountain, Dir, 25%

**Liquor - Reclassification**

16. From: Beer/Wine/Cooler On-Sale License, To: Supper Club License, Mayflower Chinese Restaurant, dba Mayflower Cuisinier, 4750 West Sahara Avenue, Suite 25, Theresa T. Woo, Dir, Pres, Secy, Treas, Gen Mgr, 51%, Ming See Woo, 49%, Subject to the provisions of the planning codes

**Locksmith License - Change of Location**

17. J.I.V., A Nevada Corporation, dba Paradise Locksmith Service, From: 3557 South Valley View Boulevard #108, To: 3545 South Valley View Boulevard, James I. Vechiola, Jr., Dir, Pres, Secy, Treas, 100%

**Gaming - New**

18. Slot Operator Space Lease Location, Restricted Gaming: 15 slots, Cardivan Company, db at Sav-On Drugs, 8580 West Charleston Boulevard
19. Slot Operator Space Lease Location, Restricted Gaming: 4 slots, United Coin Machine Company, db at Fremont Village Laundry, 276 North Jones

20. Slot Operator Space Lease Location, Restricted Gaming: 4 slots, United Coin Machine Company, db at Boston Pizza, 1507 South Las Vegas Boulevard
21. Slot Operator Space Lease Location, Restricted Gaming: 4 slots, United Coin Machine Company, db at Valley View Laundryland, 2560 South Valley View Boulevard #5

**Independent Massage Therapist - New**

22. Rhiannon Nicole Hubbard, dba Rhiannon Nicole Hubbard, 1209 Virginia City Avenue, Rhiannon N. Hubbard, 100%

**Independent Massage Therapist - Change of Location**

23. Cassie L. Winters, dba Cassie L. Winters, From: 5650 West Charleston Boulevard, Suite 9, To: 1609 Desert Canyon Court, Cassie L. Winters, 100%

**Massage Establishment - New**

24. Laura Clayton, dba Healing Waters, 820 Rancho Lane, Suite 62, Laura Clayton, 100%
25. R. L. Millar Enterprises, Inc., dba Facials By Lois Micro Spa, 851 Palace Court, Lois A. F. Millar, Pres, 100%, Russell B. Millar, Secy, Treas

**DEPARTMENT OF GENERAL SERVICES - CONSENT**

**AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS**

26. Preapproval of Bid Number 98.OCT.04 to the Lowest Responsive and Responsible Bidder for Annual Contract for Cisco Equipment for the Upgrade of the Computer Networking System - Department of Information Technologies - (Estimated Annual Amount \$800,000)
27. Award of Bid Number 98.1730.03-RC, Construction of Traffic Signals at Alta Drive and Antelope Way, Stewart Avenue and 7<sup>th</sup> Street, and Lone Mountain Road and Los Prados Boulevard - Department of Public Works - Award Recommended to: LAS VEGAS ELECTRIC, INC. (\$464,048.25)
28. Rejection of Bids and Award of Bid Number 98.SEPT.02, Annual Automotive Parts - Department of General Services - Award Recommended to: CLARK COUNTY WHOLESALE, INC.; CHARLESTON AUTO PARTS, INC. CARQUEST; VEGAS TIRE & AUTO PARTS; MIGHTY AUTO PARTS OF SOUTHERN NEVADA; CHARLES W. CARTER; FLEET PARTS SUPPLY; AND AUTO AND TRUCK ELECTRIC INC. (Aggregate Amount \$290,000)
29. Award of Bid Number 98.7120.01, Hydrated Lime - Department of Public Works - Award Recommended to: CHEMICAL LIME CO. (\$108,600)
30. Rejection of Bids and Award of Bid Number 98.1742.01 for Annual Contract for Intersection Illuminated Street Signs - Department of Public Works - Award Recommended to: MCCAIN TRAFFIC SUPPLY (Estimated Amount \$42,191)

**PURCHASE ORDER APPROVALS/SUPPLEMENTS**

31. Purchase Order Approval to Purchase 1997 Tymco Regenerative Street Sweepers - Department of General Services - Award Recommended to: SOUTHERN NEVADA EQUIPMENT (\$491,984)
32. Purchase Order Approval for Personal Alert Safety System - Department of Fire Services - Award Recommended to: GRACE INDUSTRIES, INC. (\$143,620)

**DEPARTMENT OF HUMAN RESOURCES - CONSENT**

33. Report of new hires September 22 - October 13, 1997 Senior Executive Assistant, City Council; Corrections Officer (ER), Detention & Enforcement; Firefighter Trainee (23), Fire Services; Building Services Electrician II, General Services; Planner I, Planning & Development; Recreation Leader I (X), Parks & Leisure Activities; Office Specialist I (Temporary), Information Technologies.

**DEPARTMENT OF PARKS & LEISURE ACTIVITIES - CONSENT**

34. Approval of the recommendation of the Park and Recreation Advisory Commission to name the reflecting pond at Freedom Park for Mary Ann Smith.

**PLANNING AND DEVELOPMENT DEPARTMENT - CONSENT**

35. Approval of the Bylaws for The Neon Museum Board.

**DEPARTMENT OF PUBLIC WORKS - CONSENT**

**ACCEPTANCE OF RIGHT OF WAY ITEMS**

**GRANT DEEDS**

36. From: SMOKE RANCH INC., A NEVADA CORPORATION; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 13, T20S, R60E, M.D.M., for dedication of an additional 29' of right-of-way for a total 54' radius corner located on the northeast corner of Smoke Ranch Road and Jones Boulevard (8-29-97) 138-13-401-002
37. From: JP FOODSERVICE, INC., A DELAWARE CORPORATION; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 27, T20S, R61E, M.D.M., for dedication of a 25' radius corner located on the northeast corner of Bonanza Road and "D" Street (9-26-97) 139-27-310-090
38. From: MIGUEL LANDEROS AND ROSA ISELA MENDOZA, HUSBAND AND WIFE AS JOINT TENANTS; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 26, T20S, R60E, M.D.M., for dedication of right-of-way located on the southeast corner of Vegas Drive and Torrey Pines Drive (9-29-97) 138GRANT -26-510-039
39. From: FABIO L. POSADA, A SINGLE MAN; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 29, T20S, R62E, M.D.M., for dedication of right-of-way located on the southwest corner of Owens Avenue and Marion Drive (10/6/97) 140-29-111-073

**RIGHT OF WAY FOR TRAFFIC PURPOSES**

40. From: LAS VEGAS RESCUE MISSION AND WOMEN'S AND CHILDREN'S SHELTER, A NEVADA NOT-FOR-PROFIT CORPORATION; To: City of Las Vegas; For: Portions of the Southwest Quarter (SW 1/4) of Section 27, T20S, R61E, M.D.M., for traffic easements located on the northwest corner of Bonanza Road and "D" Street (10-2-97) 139-27-310-081

**RIGHT OF WAY GRANT FOR DRAINAGE AND SEWER PURPOSES**

41. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 30, T20S, R60E, M.D.M., being a portion of Common Lot 'C' in Block A of "The Crossing at Summerlin Village 8 - Unit No. 1 Phase 2", for a sewer and drainage easement to service the Crossing Business Center (9-23-97) 138-30-297-
42. From: HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP; To: City of Las Vegas; For: Portion of the Northwest Quarter (NW 1/4) of Section 30, T20S, R60E, M.D.M., being a portion of Lot 1 in Block A of "The Crossing Business Center", for a sewer and drainage easement (9-26-97) 138-30-212-

**EASEMENT**

43. From: STATE OF NEVADA; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 26, T20S, R61E, M.D.M., for 13.37 feet of additional street right-of-way on the south side of Washington Avenue, east of Las Vegas Boulevard (9-24-97) 139-26-301-003

**ENCROACHMENT REQUESTS**

44. HOLMES SABATANI ASSOCIATES ARCHITECTS ON BEHALF OF CLARK COUNTY, OWNER; (1524 Pinto Lane University medical Center); Applicant proposes to encroach into the public right-of-way on the north side of Pinto Lane, east of Shadow Lane, consisting of landscaping (gravel and shrubs), and an irrigation system, in an approximately 3' wide strip along the north side of Pinto Lane between the sidewalk and the property line adjacent to the proposed outpatient clinic.
45. JHR ASSOCIATES ON BEHALF OF G.P.E. CONSTRUCTION, INC., OWNER; (Northeast corner of Washington Avenue and Lamb Boulevard); Applicant proposes to encroach into the public right-of-way at the northeast corner of Washington Avenue and Lamb Boulevard, of landscaping (24" box evergreen trees) and an irrigation system along the northeast corner of Washington Avenue and Lamb Boulevard.
46. RJL ENGINEERING ON BEHALF OF BAHJI PARTNERS, LTD., OWNER; (1700 Kenyon Place and 1704 Kenyon Place); Applicant proposes to encroach into the public right of way at 1704 Kenyon Place and along the south side of Alta Drive adjacent to the property line, consisting of landscaping (shrubs and trees), and an irrigation system, adjacent to the property line on the south side of Alta Drive and adjacent to the property line on the north side of Kenyon Place.

**SEWER CONNECTION AND APPROVAL OF INTERLOCAL AGREEMENT WITH CLARK COUNTY SANITATION DISTRICT**

- 47. D&K ENGINEERING ON BEHALF OF ELIZABETH A. RAYMOND SEPARATE PROPERTY TRUST, OWNER; (6585 W. Cheyenne Avenue); This request is to connect a proposed commercial building (beauty salon, florist, and offices) to the City sewer from property located in Clark County at the northeast corner of Cheyenne Avenue and Garehime Street. Applicant proposes to connect to an existing 8" sewer main in Garehime Street adjacent to the property, the City limit is also located adjacent to the property to the south and west of this site.
- 48. MARTIN & MARTIN CONSULTING ENGINEERS ON BEHALF OF SAHARA CIMARRON PARTNERS, OWNER; (West Sahara Promenade); This request is to connect a proposed commercial subdivision to the City sewer from property located in Clark County on the southeast corner of Sahara Avenue and Cimarron Road. The applicant proposed to connect to the existing 21" sewer main located in the south side of Sahara Avenue. The City limit is located 60' to the north of this site.

**REPORT/ACTION ITEMS**

- 49. Approval of A Professional Services Agreement with Carter & Burgess for Program Management Services.
- 50. Authorize the Mayor to Sign a Bill of Sale to the Las Vegas Valley Water District for Water Facilities Installed at the Washington Avenue Conveyance System - Eastern Avenue to Sagman Street.
- 51. Authorize the Mayor to Sign a Bill of Sale to the Las Vegas Valley Water District for Water Facilities Installed at the Monte Cristo/Cheyenne Sewer Interceptor.
- 52. Approval of Professional Services Agreement with Pentacore Engineering, Inc. for Construction Management and Quality Acceptance Services during construction of the Sandhill Relief Sewer Project.
- 53. Approval of Consultant Agreement with Southwick and Associates for Professional Services for the Design of the Eastern Avenue Island Landscaping.
- 54. Review of Postponement of Off-site Improvements - Henry Hoogland (7195 Del Rey Avenue).

**RESOLUTIONS - CONSENT**

- 55. **R-125-97** - Resolution Directing City Treasurer to Prepare Seventeenth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area).
- 56. **R-126-97** - Resolution Approving the Seventeenth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area).
- 57. **R-127-97** - Resolution Directing City Treasurer to Prepare Eighteenth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area).
- 58. **R-128-97** - Resolution Approving the Eighteenth Assessment Apportionment Report re: Special Improvement District No. 707 (Summerlin Area).
- 59. **R-129-97** - Resolution Directing City Treasurer to Prepare the Sixth Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).
- 60. **R-130-97** - Resolution Approving the Sixth Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).
- 61. **R-131-97** - Resolution Directing City Treasurer to Prepare the Seventh Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).
- 62. **R-132-97** - Resolution Approving the Seventh Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).
- 63. **R-133-97** - Resolution Directing City Treasurer to Prepare the Eighth Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).
- 64. **R-134-97** - Resolution Approving the Eighth Assessment Apportionment Report re: Special Improvement District No. 505 (Elkhorn Springs Area).

65. **R-135-97** - Resolution Confirming Assessment Roll re: Special Improvement District No. 1448. LOCATION: Tenaya Way and Lake Mead Boulevard south 621'; Torrey Pines Drive and Lake Mead Boulevard south 472'; Torrey Pines Drive (Craig Road south to Alexander Road) and Torrey Pines Drive (Alexander Road south to Gowan Road).

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

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## **IV. DISCUSSION / ACTION ITEMS**

### **ADMINISTRATIVE- DISCUSSION**

66. Discussion and possible action approving a new function for parking management and to approve the following actions as related to that function: a) Create the Office of Parking Management in the City Manager's Office; b) Create three positions: Manager (Grade A47), Management Analyst I (Grade A31) and City Administrative Secretary (Grade A20). The Manager position would be advertised immediately and appointed within 60 days; c) Establish the boundaries of the Downtown Parking District as shown on the attached map and generally described as the Downtown Casino Core, the Downtown Office Core, and the Union Pacific Site; d) Direct that a Parking Management System strategic plan and financial plan for funding of operations, maintenance and capital construction be developed within 90 days of the appointment of the Parking Manager; and e) Approve the following areas as priorities for the locations of future parking structures: 1) Block 34 - approve staff proceeding with assessment of acquisition of this block or some comparable area where a parking facility could be located to serve the needs in the casino core; 2) Current Nevada State Bank Building area - approve this location as a priority for siting of a parking structure; and 3) Approve staff proceeding with an assessment of the Union Pacific site and other vacant sites in that general area for the location of an off-site remote employee parking lot/structure.
67. Discussion and possible action to accept the transfer from the Redevelopment Agency of real property commonly known as Stupak Park to the City of Las Vegas. **(NOTE: This item cannot be acted upon until after action on the companion Redevelopment Agency item.)**

### **CITY ATTORNEY- DISCUSSION**

68. Discussion and possible action regarding complaint seeking disciplinary action against Little Darlings, 1514 Western Avenue, Las Vegas, Clark County, Nevada; Jolar Cinema of San Diego, Ltd., Willem Hoeijembos; Bamon Corporation, Peter D. Luster; Variety News and Distributing, Peter D. Luster; Donald Krantz; and Jack Zindel, for violations of Title 6 of the Las Vegas Municipal Code.

### **DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION**

#### **Liquor - Change of Ownership**

69. **ABEYANCE ITEM** - Tavern License, From: Jimcar 8 Inc., James T. Long, Dir, Pres, 50%, Clarence C. Fenske, Dir, Secy, Treas, 50%, To: Chomoton, Inc., dba Club Thirty Something, 711-717 North Rancho Drive, William R. Miller, Dir, Pres, Secy, Treas, 100%, Subject to the provisions of the planning and fire codes and Health Department regulations

### **MUNICIPAL COURT- DISCUSSION**

70. Discussion and possible action on participation of the City of Las Vegas in the Regional Justice Center.

### **DEPARTMENT OF PARKS & LEISURE ACTIVITIES- DISCUSSION**

71. Presentation of Ten Year Master Plan.
72. Discussion and possible action to expand services of Global Licensing Ltd., in marketing promotional products related to the City of Las Vegas by the addition of contest services.
73. Discussion and possible action to approve an extension of the contract for American Golf at Las Vegas Golf Club.

## DEPARTMENT OF PUBLIC WORKS- DISCUSSION

### TRAFFIC AND PARKING ITEMS

74. Discussion and Possible Approval of a Request to Change the Speed Limit on Torrey Pines Drive between Sahara Avenue and Oakey Boulevard from 35 MPH to 30 MPH
75. Discussion and Possible Approval of a Request for a Neighborhood Traffic Management Project on Shadow Lane between Alta Drive and Mesquite Avenue
76. Discussion and Possible Approval of a Request to Relocate the No Parking Zone on Encanto Drive at Wilson Avenue.

### RESOLUTIONS- DISCUSSION

77. **R-123-97** - Approval of Resolution to amend Schedule 25-II and 25-I in accord with Traffic & Parking Item 74.
78. **R-124-97** - Approval of Resolution to amend Schedule 17-III in accord with Traffic & Parking Item 76.
79. **R-136-97** - Approval of Resolution to change the time set for the regular meetings of the Las Vegas City Council.

## V. REPORTS FROM RECOMMENDING COMMITTEES

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

80. **Bill No. 97-68** – Annexation A-9-97(A) Property Located: On the south side of Ann Road and the west side of Rio Vista Street. Petitioned by: Interstate Properties, et al. Acreage: Approximately 12.98 acres. Zoned: R-E (County Zoning) R-E (City Equivalent). Sponsored by: Councilman Larry Brown.
81. **Bill No. 97-69** – Annexation No. A-10-97(A) Property Located: On the north side of Whispering Sands Drive between Cimarron Road and Durango Drive. Petitioned by: Robert Cohen. Acreage: Approximately 41.8 acres. Zoned: R-E (County Zoning) U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown.
82. **Bill No. 97-71** – Limits the availability of the R-CL zoning classification for future rezoning applications. Sponsored by: Mayor Jan Laverty Jones.
83. **Bill No. 97-75** – An ordinance creating Las Vegas Nevada Special Improvement District No. 1465 (Mojave Road). Sponsored by: Step Requirement.
84. **Bill No. 97-77** – Readopts LVMC 10.02.010 to make all State misdemeanors likewise City misdemeanors. Sponsored by: None.

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

85. **Bill No. 97-74** – Amends Ordinance No. 4099 and the Supplemental Document to the Uniform Housing Code, 1994 Edition, to revise and clarify the maximum occupancy standards for residential dwellings. Sponsored by: Councilman Michael McDonald.
86. **Bill No. 97-76** – Levies Assessment re: Special Improvement District No. 1440. LOCATION: Franklin Avenue (6<sup>th</sup> Street to Maryland Parkway); Jessica Avenue (Francis Avenue to Maryland Parkway); Norman Avenue (South 10<sup>th</sup> Street to Maryland Parkway); Francis Avenue (South 10<sup>th</sup> Street to Maryland Parkway); Yucca Avenue (South 10<sup>th</sup> Street to Francis Avenue); South 10<sup>th</sup> Street (Franklin Avenue to Charleston Boulevard). Sponsored by: Step Requirement.
87. **Bill No. 97-78** – Annexation No. A-12-97(A) Property Located: On the south side of Gowan Road, approximately 900 feet east of Durango Drive. Petitioned by: Fee H. And Rosa M. Ong. Acreage: Approximately 2.66 acres Zoned: R-E (County Zoning) U (ML) (City Equivalent) Sponsored by: Councilman Larry Brown.

## VI. REPORTS FROM REAL ESTATE COMMITTEE

88. **ABEYANCE ITEM** - Discussion and action to negotiate and approve the sale of property located at 229 West Boston.
89. Discussion and possible action approving an amendment for Continental Wire America Company, Ltd. in the Las Vegas Technology Center.
90. Discussion and possible action to approve a land sale agreement between the City of Las Vegas and Las Vegas Golf & Tennis, Inc. to purchase land in the Las Vegas Technology Center.

## VII. BOARDS & COMMISSIONS

91. **ABEYANCE ITEM - SOUTHERN NEVADA ENTERPRISE CONSORTIUM COMMITTEE** - Diana Madrid - Term Expired - 9/15/97 (Represents the Meadows Village Area).
92. Action to ratify the appointment of the Board of Directors for the Neon Museum Board.

## VIII. NEW BILLS

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

93. **Bill No. 97-79** -- An Ordinance of the City Council of the City of Las Vegas, Nevada providing for the issuance of its Registered, Negotiable, General Obligation (Limited Tax) Sewer Bonds (Additionally Secured By Pledged Revenues), Series 1997A; stating the purposes for which the bonds are to be issued; providing the form, terms and conditions thereof and providing for their sale; providing for the levy and collection of Annual General (Ad Valorem) Taxes for the payment of the bonds; additionally securing their payment by a pledge of revenues derived from the City's sewer system; and providing other details in connection therewith; and providing the effective date hereof. Sponsored by: None.
94. **Bill No. 97-80** -- An ordinance authorizing the issuance by the City of its negotiable "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues), Series 1997B," for the purpose of financing the M\*A\*S\*H Center and Park and Recreational Projects; authorizing and directing that the City shall effect such projects; ratifying action previously taken toward issuing the proposed bonds and effecting the purpose of their issuance; providing other matters relating thereto. Sponsored by: None.
95. **Bill No. 97-81** Annexation No. A-11-97(A) Property Located: On the southeast corner of Iron Mountain Road and Durango Drive Petitioned by: Tule Springs and Iron Mountain Trust Acreage: Approximately 76.04 acres Zoned: R-E (County Zoning) U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
96. **Bill No. 97-82** -- Annexation No. A-13-97(A) Property Located: On the northeast corner of Buckskin Avenue and Shaumber Road Petitioned by: Southwest Desert Equities Acreage: Approximately 2.53 acres Zoned: R-E (County Zoning) U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
97. **Bill No. 97-83** -- Provides for the termination of resolutions of Intent to rezone concerning properties which are not being developed and which do not conform to the use and density classifications of the General Plan. Sponsored by: Councilman Larry Brown
98. **Bill No. 97-84** -- Amends Title 10, Section 48 to clarify the City's ability to collect civil damages for graffiti removal and clean up on public or private property. Sponsored by: Councilman Michael McDonald
99. **Bill No. 97-85** -- Levies Assessment re: Special Improvement District No. 1448. LOCATION: Tenaya Way and Lake Mead Boulevard south 621'; Torrey Pines Drive and Lake Mead Boulevard south 472'; Torrey Pines Drive (Craig Road south to Alexander Road) and Torrey Pines Drive (Alexander Road south to Gowan Road) Sponsored by: Step Requirement

## 2:00 P.M. – AFTERNOON SESSION

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

## IX. PUBLIC HEARINGS

101. **ABEYANCE ITEM** - Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 6229 Shawnee Avenue. PROPERTY OWNER: RONALD N. KEEHN
102. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 6313 Fairwood Avenue. PROPERTY OWNER: ALLEN F. JOHNSON
103. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 1176 Miller Avenue. PROPERTY OWNER: LEWIA H. TENNIS
104. Public Hearing to consider the report of expenses to recover costs for abatement of dangerous building/demolition located at 610 W. Adams Avenue. PROPERTY OWNER: CALLIE SIMPSON

## **PLANNING AND DEVELOPMENT DEPARTMENT**

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action. In addition, items may be required to conform to one or more of the following standard conditions:

**ZONING AND SPECIAL USE PERMIT APPLICATIONS:** (1) Resolution of Intent. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (8) All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards. (13) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. (14) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

**VARIANCE APPLICATIONS:** (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services. (9) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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

## CONSENT AGENDA

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

### EXTENSIONS OF TIME

105. **U-51-96(1) - CHEYENNE CROSSING ASSOCIATED LIMITED PARTNERSHIP** - Request for an Extension of Time for an approved Special Use Permit on property located at 3250 North Tenaya Way which allowed the on-premise sale of beer and wine in conjunction with a proposed restaurant within an approved retail building, C-1 (Limited Commercial) Zone, Ward 4 (Brown).
106. **U-100-96(1) - PECCOLE 1982 TRUST** - Request for an Extension of Time for an approved Special Use Permit on property located on the northeast corner of Charleston Boulevard and Durango Drive which allowed packaged liquor sales in conjunction with an approved drugstore, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).
107. **V-85-80(6) - RANCHO DRIVE PARTNERSHIP** - Request for an Extension of Time on an approved Variance on property located at 5050 North Rainbow Boulevard which allowed RETAIL AND WHOLESALE SALE OF SOD, TREES, FERTILIZER AND RELATED PRODUCTS WHERE SUCH IS NOT ALLOWED (Armagosa Farms), R-E (Residence Estates) and C-2 (General Commercial) Zones, Ward 4 (Brown).
108. **Z-97-89(7) - ROBERT H. PARKER** - Request for an Extension of Time on property located on the northeast corner of Charleston Boulevard and Cimarron Road for an approved commercial subdivision, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).

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

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## DISCUSSION/ACTION ITEMS

### TENTATIVE MAP

109. **TM-34-97 - MARION VISTA I - ROBERT L. SHARP & AFFILIATED COMPANIES ON BEHALF OF MARY LEE COLEMAN** - Appeal of the Denial by the Planning Commission on a request for a Tentative Map on property located on the southwest corner of Washington Avenue and Marion Drive, R-MHP (Residential/Mobile Manufactured Home Park) Zone, under Resolution of Intent to R-1 (Single Family Residential), Size: 8.84 Acres, No. of Lots: 44, Ward 3 (Reese).

### SITE DEVELOPMENT PLAN REVIEW RELATED TO U-93-97 - PUBLIC HEARING

110. **Z-53-95(2) - AMERICAN PACIFIC CAPITAL PAVILION COMPANY LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review on property located on the southwest corner of Lake Mead Boulevard and Tenaya Way FOR A PROPOSED 120,000 SQUARE FOOT SHOPPING CENTER, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (Adamsen).

### SPECIAL USE PERMIT RELATED TO Z-53-95(2) - PUBLIC HEARING

111. **U-93-97 - AMERICAN PACIFIC CAPITAL PAVILION COMPANY LIMITED LIABILITY COMPANY** - Request for a Special Use Permit on property located on the south side of Lake Mead Boulevard, west of Tenaya Way, FOR A PROPOSED AUTO PARTS STORE (NEW AND REBUILT/ACCESSORY SALES AND SERVICE) (PEP BOYS), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 2 (Adamsen).

### SITE DEVELOPMENT PLAN REVIEW AND REVIEW OF CONDITION - PUBLIC HEARING

112. **Z-140-93(3) - ERIC H. WOODS** - Request for a Site Development Plan Review and Review of Condition on property located at 2047 West Charleston Boulevard FOR A PROPOSED 16,200 SQUARE FOOT, TWO-STORY OFFICE BUILDING AND A REVIEW OF CONDITION THAT LIMITS THE BUILDING TO A MAXIMUM HEIGHT OF ONE STORY, C-D (Designed Commercial) Zone, Ward 1 (McDonald).

## **SITE DEVELOPMENT PLAN REVIEW**

113. **Z-139-88(19) - TRIPLE FIVE DEVELOPMENT** - Request for a Site Development Plan Review on property located on the north side of Sahara Avenue, west of Fort Apache Road FOR A PROPOSED 8,400 SQUARE FOOT, ONE STORY RETAIL BUILDING, C-1 (Limited Commercial) Zone, Ward 2 (Adamsen).

## **REVIEW OF CONDITION**

114. **Z-68-93(7) - ANN TENAYA PLAZA LIMITED LIABILITY COMPANY** - Request for a Review of Condition on property located on the northwest corner of Tenaya Way and Ann Road TO DELETE THE CONDITIONS REQUIRING 5 FOOT WIDE LANDSCAPE PLANTER FINGERS AT THE END OF EACH ROW OF PARKING STALLS, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

## **VARIANCES - PUBLIC HEARING**

115. **ABEYANCE ITEM - V-2-97 - FREDERICO MACAPINLAC** - Request for a Variance on property located at 900 Bedford Road to allow AN EXISTING ROOM ADDITION 4 FEET FROM THE SIDE PROPERTY LINE; AND AN EXISTING ACCESSORY BUILDING 2 FEET FROM THE SIDE PROPERTY LINE WHERE 5 FEET IS THE MINIMUM SETBACK REQUIRED, R-1 (Single Family Residential) Zone, Ward 1 (McDonald).
116. **V-70-97 - BURGUNDY COMPANY-1986 ON BEHALF OF SAM HAMIKA** - Request for a Variance on property located at 732 North Eastern Avenue to allow AN ILLEGAL EXISTING 750 SQUARE FOOT ADDITION TO AN EXISTING 2,000 SQUARE FOOT NON-CONFORMING BUILDING (CONVENIENCE STORE) ON THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, C-1 (Limited Commercial) Zone, Ward 3 (Reese).
117. **V-83-97 - THE CORRIGAN FAMILY TRUST** - Appeal filed by The Corrigan Family Trust from the Denial by the Board of Zoning Adjustment on a request for a Variance on property located in the 1600 block of Pine Street of the Scotch Eighty Subdivision, Block 4, Lots 1, 3 and 4, to allow THREE (3) PROPOSED SINGLE FAMILY DWELLINGS 20 FEET FROM THE FRONT PROPERTY LINES WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED, R-E (Residence Estates) Zone, Ward 1 (McDonald).
118. **V-85-97 - SIGN INNOVATIONS ON BEHALF OF BENSON & BERTOLDO, LIMITED LIABILITY COMPANY** - Appeal filed by Sign Innovations on behalf of Benson & Bertoldo, Limited Liability Company from the Denial by the Board of Zoning Adjustment on a request for a Variance on property located at 7400 West Sahara Avenue to allow TWO MONUMENT SIGNS IN CONJUNCTION WITH AN EXISTING ATTORNEY'S OFFICE WHERE ONLY ONE MONUMENT SIGN IS ALLOWED, C-1 (Limited Commercial) Zone, Ward 1 (McDonald).

## **SPECIAL USE PERMITs - PUBLIC HEARING**

119. **ABEYANCE ITEM - U-83-97 - GEORGE KRENKEL ON BEHALF OF BUFFALO/ALTA ASSOCIATES, INC., ON BEHALF OF GEORGE KRENKEL** - Appeal filed by George Krenkel on behalf of Buffalo/Alta Associates, Inc., on behalf of George Krenkel from the Denial by the Planning Commission for a Special Use Permit on property located on the northeast corner of Buffalo Drive and Alta Drive for the SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED 2,316 SQUARE FOOT DELI/CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 2 (Adamsen).
120. **U-96-97 - FARALLON DECATUR MEADOWS, LIMITED ON BEHALF OF CORT FURNITURE RENTAL** - Request for a Special Use Permit on property located at 320 South Decatur Boulevard for a SECONDHAND FURNITURE DEALERSHIP, C-2 (General Commercial), Ward 1 (McDonald).

## **REZONING - PUBLIC HEARING**

121. **Z-88-97 - TOM SAITTA** - Request for a Rezoning on property located at 5750 Sky Pointe Drive, From: R-E (Residence Estates) To: C-2 (General Commercial), PROPOSED USE: PARKING LOT ADDITION FOR AN EXISTING NEW CAR DEALERSHIP, Ward 4 (Brown).

## **REZONING RELATED TO U-87-97 - PUBLIC HEARING**

122. **Z-86-97 - ANDREW TOMPKINS/COHEN FAMILY TRUST ON BEHALF OF RITE AID CORPORATION** - Request for a Rezoning on property located on the southeast corner of Jones Boulevard and Cheyenne Avenue, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: C-1 (Limited Commercial), PROPOSED USE: 16,708 SQUARE FOOT DRUGSTORE AND FUTURE COMMERCIAL, Ward 4 (Brown).

## **SPECIAL USE PERMIT RELATED TO Z-86-97 - PUBLIC HEARING**

123. **U-87-97 - ANDREW TOMPKINS/COHEN FAMILY TRUST ON BEHALF OF RITE AID CORPORATION** - Request for a Special Use Permit on property located on the southeast corner of Jones Boulevard and Cheyenne Avenue FOR PACKAGED LIQUOR SALES IN CONJUNCTION WITH A PROPOSED 16,708 SQUARE FOOT DRUGSTORE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [proposed C-1 (Limited Commercial)], Ward 4 (Brown).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

124. **GPA-36-97 - LOZZI ENTERPRISES, INC.** - Request to amend a portion of the Northwest Plan Amendment to the General Plan on property located on the northeast corner of Gowan Road and Buffalo Drive, From: L (Low Density Residential) To: O (Office), Ward 4 (Brown).

**REZONING RELATED TO GPA-36-97 - PUBLIC HEARING**

125. **Z-83-97 - LOZZI ENTERPRISES, INC.** - Request for a Rezoning on property located on the northeast corner of Gowan Road and Buffalo Drive, From: U (Undeveloped) [L (Low Density Residential) General Plan Designation] To: O (Office) PROPOSED USE: 24,280 SQUARE FOOT, TWO-STORY OFFICE COMPLEX, Ward 4 (Brown).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

126. **GPA-37-97 - ROMAN CATHOLIC CHURCH OF LAS VEGAS ON BEHALF OF BISHOP GORMAN HIGH SCHOOL** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the southwest corner of Maryland Parkway and Oakey Boulevard, From: L (Low Density Residential) and SC (Service Commercial) Zones To: PF (Public Facility), Ward 3 (Reese).

**REZONING RELATED TO GPA-37-97 - PUBLIC HEARING**

127. **Z-84-97 - ROMAN CATHOLIC CHURCH OF LAS VEGAS ON BEHALF OF BISHOP GORMAN HIGH SCHOOL** - Request for a Rezoning on property located on the southwest corner of Maryland Parkway and Oakey Boulevard, From: R-1 (Single Family Residential) Zone To: C-V (Civic), PROPOSED USE: 306 SPACE PARKING LOT, Ward 3 (Reese).

**MAJOR MODIFICATION TO SUMMERLIN DEVELOPMENT PLAN - PUBLIC HEARING**

128. **SV-33-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP** - Request for a Major Modification to the Summerlin Development Plan for Village 1 on property located on the northwest corner of Village Center Circle and Golf Center Drive, From: MF3 (High Density Multi-Family) Zone To: VC (Village Center), Ward 2 (Adamsen).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

129. **GPA-41-97 - CITY OF LAS VEGAS** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the south side of Tully Avenue, east of Sandhill Road, From: SC (Service Commercial) To: M (Medium Density Residential), Ward 3 (Reese).

**REZONING RELATED TO GPA-41-97 - PUBLIC HEARING**

130. **Z-89-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located on the south side of Tully Avenue, east of Sandhill Road, From: R-E (Residence Estates) To: R-3 (Medium Density Residential) PROPOSED USE: FUTURE MULTI-FAMILY RESIDENCES, Ward 3 (Reese).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

131. **GPA-45-97 - CITY OF LAS VEGAS** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the southwest corner of Sandhill Road and Bonanza Road, From: M (Medium Density Residential) To: P (Parks/Recreation/OS), Ward 3 (Reese).

**REZONING RELATED TO GPA-45-97 - PUBLIC HEARING**

132. **Z-93-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located on the southwest corner of Sandhill Road and Bonanza Road, From: R-E (Residence Estates) To: C-V (Civic), PROPOSED USE: FUTURE PARK, Ward 3 (Reese).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

133. **GPA-46-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP** - Request to amend a portion of the Southwest Sector of the General Plan on property located on the southeast corner of Far Hills Avenue and Sageberry Drive, From: L (Low Density Residential) To: M-L (Medium-Low Density Residential), Ward 2 (Adamsen).

**MAJOR MODIFICATION TO SUMMERLIN DEVELOPMENT PLAN RELATED TO GPA-46-97 - PUBLIC HEARING**

134. **SV-34-97 - HOWARD HUGHES PROPERTIES, LIMITED PARTNERSHIP** - Request for a Major Modification to the Summerlin Development Plan for Village 11/12 on property located on the southeast corner of Far Hills Avenue and Sageberry Drive, From: SF2 (Single Family Detached) Zone To: SF3 (Single Family Detached), Ward 2 (Adamsen).

**TIME CERTAIN - 4:00 P.M. - SPECIAL USE PERMIT - PUBLIC HEARING**

135. **ABEYANCE ITEM - U-78-97 - LIONEL, SAWYER & COLLINS ON BEHALF OF MAS TRADING COMPANY ON BEHALF OF ENCORE SENIOR LIVING, LIMITED LIABILITY COMPANY** - Appeal filed by Lionel, Sawyer & Collins on behalf of MAS Trading Company on behalf of Encore Senior Living, Limited Liability Company for a Special Use Permit on property located on the northwest corner of Peak Drive and Maverick Street FOR A CONVALESCENT CARE FACILITY, R-E (Residence Estates) Zone, Ward 4 (Brown).

**TIME CERTAIN - 4:30 P.M. - SPECIAL USE PERMIT - PUBLIC HEARING**

136. **U-54-96(2) - GORDON & SILVER, LTD. ON BEHALF OF RESORT AT SUMMERLIN LIMITED PARTNERSHIP** - Appeal filed by Gordon & Silver, Ltd. on behalf of Resort at Summerlin Limited Partnership Request for an amendment to an approved Special Use Permit on property located on the southwest corner of Summerlin Parkway and Rampart Boulevard which allowed 324,268 square feet of structures, including a 50,000 square foot casino, one six-story 300 room hotel and a two-story parking garage, PROPOSED AMENDMENT: A SECOND SIX-STORY 300 ROOM HOTEL, A TOTAL OF 452,560 SQUARE FEET OF STRUCTURES AND A FOUR-STORY 1,000 SPACE PARKING GARAGE *NOTE: THIS AMENDMENT WILL NOT EXPAND THE ALLOWABLE FLOOR SPACE OF THE PROPOSED CASINO, PC (Planned Community) Zone, Ward 2 (Adamsen).*
137. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

**X. ADDENDUM**

**XI. CITIZENS PARTICIPATION**

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

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

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

EXHIBIT B

(Attach Copy of Notice of November 10, 1997 Meeting)

# AGENDA

# City of Las Vegas

CITY COUNCIL

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

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

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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.

**NOVEMBER 10, 1997**

**Morning Session begins at 10:00 a.m.**

**Afternoon Session begins at 2:00 p.m.**

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

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

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

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

## I. CEREMONIAL MATTERS

- 9:00 A.M. - CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - ELDER ZEL LOWMAN, First Presbyterian Church
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF NOVEMBER'S "CITIZEN OF THE MONTH"
- CHECK PRESENTATION FROM THE STATE OF NEVADA'S DEPARTMENT OF EMPLOYMENT, TRAINING AND REHABILITATION TO THE CITY OF LAS VEGAS' OFFICE OF FEDERAL, STATE AND LOCAL INITIATIVES FOR THE CHILD CARE INITIATIVE
- CHECK PRESENTATION FROM THE ANDRE AGASSI FOUNDATION TO THE CITY OF LAS VEGAS' OFFICE OF FEDERAL, STATE AND LOCAL INITIATIVES FOR THE HIGHER EDUCATION ENHANCEMENT ACT

## II. BUSINESS ITEMS

1. Any items from the morning session that the Council, staff, and/or the applicant wishes to be stricken or held in abeyance to a future meeting, may be brought forward and acted upon at this time.
2. Approval of the Final Minutes by Reference of the Regular City Council Meeting of October 13, 1997.

## III. CONSENT AGENDA

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

### DEPARTMENT OF FINANCE & BUSINESS SERVICES - CONSENT

3. Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments.

## **SPECIAL EVENT LIQUOR LICENSE**

4. Wild Oats Market, Location: 6720 West Sahara Avenue, Dates: November 11, 1997, Type: Special Event Beer/Wine/Cooler, Responsible Person in Charge: Michael Circuit

## **LIQUOR - New**

5. Supper Club License, LVH Restaurants, LLC, dba Houlihans, 1951 North Rainbow Boulevard, Kerri L. Verhey, Owner, 25%, Donald K. White, Jr., Owner, 25%, George M. Sorrentino, Owner, 25%, Brian A. Sorrentino, Owner, 25%, Subject to the provisions of the fire codes and Health Department regulations
6. Beer/Wine/Cooler On-Sale License, DeLuca Pizza, Inc., dba The Famous Pizza Company, 3250 North Tenaya Way, Suites 110 & 111, Frank DeLuca, Dir, Pres, 50%, Maria J. DeLuca, Dir, VP, 50%

## **LIQUOR - Approval of Manager**

7. Tavern License, Big Dog's Cafe & Casino, Inc., dba Big Dog's Cafe & Casino, 6390 West Sahara Avenue, James T. Barbarite, Gen Mgr

## **GAMING - New**

8. Restricted Gaming: 15 slots, Nevada Restaurant Services, Inc., dba Dotty's #7, 2101 South Decatur Boulevard, Richard C. Estey, Pres, 80%, Kathrine L. Estey, Secy, Treas, 17%, Timothy J. Harris, VP, Gen Mgr, 3%, Approved by the Nevada Gaming Commission on October 23, 1997
9. Slot Operator Space Lease Location, Restricted Gaming: 15 slots, Market Gaming, Inc., db at Vons 392, 7530 West Lake Mead Boulevard, Approved by the Nevada Gaming Commission on October 23, 1997

## **INDEPENDENT MASSAGE THERAPISTS - New**

10. Judith Rebecca Hess, dba Judith Hess, 1247 Darmak Drive, Judith R. Hess, 100%
11. Xiao Ling Tong, dba Hong Yun Massage Therapy, 209 North 7th Street, Xiao L. Tong, 100%
12. Marilyn A. Andrade, dba Marilyn's Stress Relief/Massage Therapy, 6761 Legalla Lane, Marilyn A. Andrade, 100%

## **SECONDHAND DEALER LICENSE - New**

13. Class II, Cort Furniture Rental Corp., dba Cort Furniture Rental, 320 South Decatur Boulevard, Kenneth W. Hemm, Group VP, Michael L. Broussard, District Gen Mgr, Subject to the provisions of the planning codes

## **DEPARTMENT OF GENERAL SERVICES - CONSENT**

### **AWARD OF BIDS/REJECTIONS/RENEWALS/TERMINATIONS**

14. Award of Bid Number 97.1730.11, Paradise Village Phase B - Department of Public Works - Award Recommended to: WELLS CARGO, INC. (\$1,199,700.96)
15. Award of Bid Number 98.1730.04, Traffic Signalization for Owens Avenue and J Street, Arville Street and Pennwood Avenue - Department of Public Works - Award Recommended to: ACE ELECTRIC, INC. (\$540,465.41)
16. Rejection of Bids and Award of Bid Number 98.JUL.13 for Firefighter Protective Clothing - Department of Fire Services - Award Recommended to: FIRST IN INC. (Estimated Amount \$160,000)
17. Award of Bid Number 98.1739.08, Detention Facility Support Services Building for inmate property storage, maintenance, and office space - Department of Detention and Enforcement - Award Recommended to: SUN WORLD LANDSCAPE AND CONSTRUCTION (\$365,000)
18. Rescission of Award and Re-Award of Bid Number 97.MAR.01, Lot II, Annual Reflective Sheeting, Sign Blanks, and Various Traffic Signs - Department of Public Works - Award Recommended to: 3M CORPORATION (Estimated Annual Amount \$18,786.06)
19. Preapproval of Bid Number 98.1739.02, Gowan Soccer Field Complex to the Lowest and Responsible Bidder - Department of Parks and Leisure Activities
20. Award of Bid Number 98.1739.06, West Vehicle Service Center Landscaping - Department of Public Works - Award Recommended to: TOVAR LANDSCAPING AND DESIGN INC. (\$73,862)
21. Amend The D/B/A Name "Mercy Ambulance" Within the Franchise Agreement for Ambulance Services Dated March 20, 1996, to Read "American Medical Response" - Department of Fire Services

22. Rejection of Bid and Award of Bid Number 98.0900.02 Document Scanner and Microfilm Writer - City Clerk's Office - Award Recommended to: SOUTHERN NEVADA MICROGRAPHICS (\$84,417)

#### **APPROVAL OF AGREEMENTS/AUTHORIZATIONS**

23. Approval of agreement for consultant services to provide services for the management, development and deployment of City business applications to the client server environment - Department of Information Technologies. Award Recommended to: THIRDWAVE CORPORATION (Estimated Amount \$734,400)
24. Authorization to Use Clark County Bid Number 3821-96, 1997 Model Year Miscellaneous Vehicles - Department of Public Works - Award Recommended to: FAIRWAY CHEVROLET (\$28,400)

#### **DEPARTMENT OF HUMAN RESOURCES - CONSENT**

25. Report of new hires - October 13 - 27, 1997 - Deputy City Attorney I (X), City Attorney; Personnel Services Liaison, City Attorney; Office Specialist II, General Services; Planner II, Neighborhood Services; Office Specialist I, Parks & Leisure Activities; Publicity Specialist I (X), Parks & Leisure Activities; Planner I (2), Planning & Development; Urban Design Project Coordinator, Planning & Development; Senior Architectural Technician, Public Works; Fire Electrician II (X), Fire Services.

#### **NEIGHBORHOOD SERVICES - CONSENT**

26. Action to approve an increase in the Community Development Block Grant (CDBG) rehabilitation loan for Ruby Johnson, owner of 710 Van Buren Avenue in the amount of \$11,000.
27. Action to reprogram \$50,000 in HOME funds from NAACP Community Resource Center to the Community Development Program Center of Nevada.
28. Action to approve subordination agreement for Interim Construction and subsequent permanent financing for the Sleepy Hollow Townhome section of Country Ridge.

#### **PLANNING AND DEVELOPMENT DEPARTMENT - CONSENT**

29. Information regarding the exempt status of the Las Vegas Housing Authority relating to building plans check fees and building permit fees.

#### **DEPARTMENT OF PUBLIC WORKS - CONSENT**

#### **ACCEPTANCE OF RIGHT OF WAY ITEMS**

##### **RIGHT OF WAY GRANT FOR TRAFFIC PURPOSES**

30. From: JANE FAYLE NORGRÉN, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY; To: City of Las Vegas; For: Portion of the Southwest Quarter (SW 1/4) of Section 27, T20S, R61E, M.D.M., for a traffic easement located on the south side of Bonanza Road and "D" Street (10-17-97) 139-27-401-026
31. From: CHATEAU BORDEAUX HOMEOWNER'S ASSOCIATION; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE 1/4) of Section 23, T20S, R60E, M.D.M., for a traffic easement located on the northeast corner of Vegas Drive and Torrey Pines Drive (10-16-97) 138-23-815-
32. From: JOSE HUGO OCHOA, A SINGLE MAN; To: City of Las Vegas; For: Portion of the Southeast Quarter (SE 1/4) of Section 3, T20S, R60E, M.D.M., for a traffic easement located on the northwest corner of Rainbow Boulevard and Alexander Road (10-22-97) 138-03-818-003

##### **GRANT OF EASEMENT**

33. From: CITY OF LAS VEGAS, A MUNICIPAL CORPORATION; To: Nevada Power Company; For: Portion of the Northwest Quarter (NW 1/4) of Section 15, T20S, R60E, M.D.M., for an underground utility line located at the southwest corner of Cheyenne Avenue and Tenaya Way in the Las Vegas Technology Center 138-15-101-001
34. Request permission to appraise and purchase or condemn a right-of-way parcel for Alta Drive Project between Shadow Lane and Deauville Street

**RESOLUTIONS - CONSENT**

- 35. **R-137-97** - Resolution Determining Costs to be Assessed and Authorizing, Ordering and Directing City Engineer to Prepare the Final Assessment Roll re: Special Improvement District No. 1447 (Buffalo and Cheyenne Area).
- 36. **R-138-97** - Resolution Tentatively Approving Final Assessment Roll and Setting Date for Public Hearing thereon re: Special Improvement District No. 1447 (Buffalo/Cheyenne Area).

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

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**IV. DISCUSSION / ACTION ITEMS**

**ADMINISTRATIVE- DISCUSSION**

- 37. **ABEYANCE ITEM** - Discussion and possible action to accept the transfer from the Redevelopment Agency of real property commonly known as Stupak Park to the City of Las Vegas. **NOTE: This item cannot be acted upon until after action on the companion Redevelopment Agency item.**
- 38. Discussion and possible action to waive building permit fees and the plans check fees for the Regional Transportation Commission and Regional Flood Control District Administrative Building.
- 39. Discussion and possible action for approval to participate and facilitate the Department of Labor and White House's Child Care Development Specialist Apprenticeship Initiative.

**CITY ATTORNEY- DISCUSSION**

- 40. Appeal of Work Card Denial - Kevin Gray, 3886 Terrazzo Avenue, Las Vegas, Nevada 89115.
- 41. Discussion and possible action regarding Complaint Seeking Disciplinary Action against Diamond China Restaurant, 3909 West Sahara Avenue, #9, Las Vegas, Clark County, Nevada, and Chung Inn Louie a/k/a Chung Wong, licensee, for violations of Title 6 of the Las Vegas Municipal Code.
- 42. Approval of Rescission of Denial of Z-64-96 (zone change request for a rezoning from R-E (Residential Estates) to R-PD3 on property located on the southwest corner of Del Rey Avenue and Tioga Way) in settlement of a lawsuit against the City of Las Vegas which has been appealed by the applicant to the Nevada Supreme Court. **NOTE: This item to be heard in the 2:00 P.M. Session.**
- 43. Approval of Revised Z-64-96 (zone change request for a rezoning from R-E (Residential Estates) to P-PD2 on property located on the southwest corner of Del Rey Avenue and Tioga Way) in settlement of a lawsuit filed against the City of Las Vegas which has been appealed by the applicant to the Nevada Supreme Court. **NOTE: This item to be heard in the 2:00 P.M. Session.**

**DEPARTMENT OF FINANCE & BUSINESS SERVICES - DISCUSSION**

**INDEPENDENT MESSAGE THERAPIST - New**

- 44. Denise Keating, dba Touch Of Heart Massage Therapy, 1050 East Sahara Avenue, Suite 203, Denise Keating, 100%

**GAMING - One Year Review**

- 45. Restricted Gaming: 15 slots, Santa Fe Mining Company, dba Santa Fe Mining Company, 5021 North Rainbow Boulevard, Anthony M. Morrison, Gen Mgr, Approved by the Nevada Gaming Commission on October 24, 1996

**DEPARTMENT OF PARKS & LEISURE ACTIVITIES- DISCUSSION**

- 46. Discussion and possible action to approve agreement with American Golf Enterprises to extend term of management agreement, provide for capital improvements, and other matters relating thereto.

**DEPARTMENT OF PUBLIC WORKS- DISCUSSION**

**TRAFFIC AND PARKING ITEM**

47. Discussion and possible approval of a request for the installation of speed humps on Wilshire Street between Charleston Boulevard and Oakey Boulevard.

**REPORT/ACTION ITEM**

48. Report to Council on City policy on school zone selections and other matters related thereto.
49. Approval of the General Parameters by which the U.S. 95 Citizens Review Committee will operate.

**V. REPORTS FROM RECOMMENDING COMMITTEES**

**BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

50. **Bill No. 97-74** – Amends Ordinance No. 4099 and the Supplemental Document to the Uniform Housing Code, 1994 Edition, to revise and clarify the maximum occupancy standards for residential dwellings. Sponsored by: Councilman Michael McDonald.
51. **Bill No. 97-76** – Levies Assessment re: Special Improvement District No. 1440. LOCATION: Franklin Avenue (6<sup>th</sup> Street to Maryland Parkway); Jessica Avenue (Francis Avenue to Maryland Parkway); Norman Avenue (South 10<sup>th</sup> Street to Maryland Parkway); Francis Avenue (South 10<sup>th</sup> Street to Maryland Parkway); Yucca Avenue (South 10<sup>th</sup> Street to Francis Avenue); South 10<sup>th</sup> Street (Franklin Avenue to Charleston Boulevard). Sponsored by: Step Requirement.
52. **Bill No. 97-78** – Annexation No. A-12-97(A) Property Located: On the south side of Gowan Road, approximately 900 feet east of Durango Drive. Petitioned by: Fee H. And Rosa M. Ong. Acreage: Approximately 2.66 acres Zoned: R-E (County Zoning) U (ML) (City Equivalent) Sponsored by: Councilman Larry Brown.
53. **Bill No. 97-79** -- An Ordinance of the City Council of the City of Las Vegas, Nevada providing for the issuance of its Registered, Negotiable, General Obligation (Limited Tax) Sewer Bonds (Additionally Secured By Pledged Revenues), Series 1997A; stating the purposes for which the bonds are to be issued; providing the form, terms and conditions thereof and providing for their sale; providing for the levy and collection of Annual General (Ad Valorem) Taxes for the payment of the bonds; additionally securing their payment by a pledge of revenues derived from the City's sewer system; and providing other details in connection therewith; and providing the effective date hereof. Sponsored by: None.
54. **Bill No. 97-80** -- An ordinance authorizing the issuance by the City of its negotiable "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured by Pledged Revenues), Series 1997B," for the purpose of financing the M\*A\*S\*H Center and Park and Recreational Projects; authorizing and directing that the City shall effect such projects; ratifying action previously taken toward issuing the proposed bonds and effecting the purpose of their issuance; providing other matters relating thereto. Sponsored by: None.
55. **Bill No. 97-84** -- Amends Title 10, Section 48 to clarify the City's ability to collect civil damages for graffiti removal and clean up on public or private property. Sponsored by: Councilman Michael McDonald.

**BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

56. **Bill No. 97-81** Annexation No. A-11-97(A) Property Located: On the southeast corner of Iron Mountain Road and Durango Drive Petitioned by: Tule Springs and Iron Mountain Trust Acreage: Approximately 76.04 acres Zoned: R-E (County Zoning) U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
57. **Bill No. 97-82** – Annexation No. A-13-97(A) Property Located: On the northeast corner of Buckskin Avenue and Shaumber Road Petitioned by: Southwest Desert Equities Acreage: Approximately 2.53 acres Zoned: R-E (County Zoning) U (PCD) (City Equivalent). Sponsored by: Councilman Larry Brown
58. **Bill No. 97-83** – Provides for the termination of resolutions of Intent to rezone concerning properties which are not being developed and which do not conform to the use and density classifications of the General Plan. Sponsored by: Councilman Larry Brown
59. **Bill No. 97-85** -- Levies Assessment re: Special Improvement District No. 1448. LOCATION: Tenaya Way and Lake Mead Boulevard south 621'; Torrey Pines Drive and Lake Mead Boulevard south 472'; Torrey Pines Drive [Craig Road south to Alexander Road] and Torrey Pines Drive (Alexander Road south to Gowan Road). Sponsored by: Step Requirement

## VI. REPORTS FROM REAL ESTATE COMMITTEE

60. Discussion and action to approve a lease agreement between the City of Las Vegas and Golden Eagle Casino Products at the Las Vegas Business Center for approximately 2,534 square feet of office space.
61. Discussion and action to approve a lease agreement between the City of Las Vegas and TLC Home Health Care, Inc. at the Las Vegas Business Center for approximately 2,534 square feet of office space.
62. Discussion and consideration of proposals to purchase the Bel-Aire Apartment Complex.
63. Approval and authorization to enter into a contract to sell the Bel-Aire Apartment Complex.
64. Approval for submission of application for Land Lease Agreement for a forty (40) acre tract of land (less right-of-way and easement) to the Bureau of Land Management.

## VII. BOARDS & COMMISSIONS

65. **ABEYANCE ITEM - SOUTHERN NEVADA ENTERPRISE CONSORTIUM COMMITTEE** - Diana Madrid - Term Expired - 9/15/97 (Represents the Meadows Village Area).
66. **CITIZENS PRIORITY ADVISORY COMMITTEE (CPAC) - (Budget Review)** - Chad Blackham - Term Expires - 6/18/2001 (Resigned).
67. Ratification of the Committee nominations for the U.S. 95 Citizens Review Committee.

## VIII. NEW BILLS

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

68. **Bill No. 97-86** – Annexation No. A-18-97(A) - Property Located: On the southeast corner of Centennial Parkway and El Capitan Way. Petitioned by: Kathleen C. and Ernest A. Becker, Jr.; Acreage: Approximately 2.5 acres. Zoned: R-E (County Zoning); U (ML and TC) (City Equivalent). Sponsored by: Councilman Larry Brown.
69. **Bill No. 97-87** – Annexation A-17-97(A) - Property Located: On the northwest corner of Lake Mead Boulevard and Decatur Boulevard. Petitioned By: This Land is Our Land, Limited Liability Company. Acreage: Approximately .93 acres. Zoned: C-2 (County Zoning); C-1 (City Equivalent). Sponsored by: Councilman Larry Brown.
70. **Bill No. 97-88** – Reduces dog and cat license fees for owners who are 55 years of age or older or who are qualified to receive certain disability benefits. Sponsored by: Mayor Jan Laverty Jones.
71. **Bill No. 97-89** – Implements State law by creating additional enforcement remedies to abate nuisance conditions. Sponsored by: Councilman Michael McDonald
72. **Bill No. 97-90** – Clarifies the definition of “noise disturbance” created by sound amplification devices, and establishes minimum penalties pertaining thereto. Sponsored by: Councilman Michael McDonald.
73. **Bill No. 97-91** – Adopts the City of Las Vegas’ “Personnel Policies Manual, 1997 Edition.” Sponsored by: Mayor Jan Laverty Jones

## CLOSED SESSION

**Upon a duly carried Motion, closed meeting in accordance with NRS 241.030 to discuss the following items:**

**1:30 P.M. TIME CERTAIN - City Manager’s Annual Performance Review**

**1:45 P.M. TIME CERTAIN - City Attorney’s Annual Performance Review**

## 2:00 P.M. – AFTERNOON SESSION

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

## PLANNING AND DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action. In addition, items may be required to conform to one or more of the following standard conditions:

**ZONING AND SPECIAL USE PERMIT APPLICATIONS:** (1) Resolution of Intent. (2) All development shall be in conformance with the plot plan and building elevations. (3) Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (4) A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first. (5) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development). (6) All City Code requirements and design standards of all City departments must be satisfied. (7) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (8) All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (9) Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works. (10) A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first. (11) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures. (12) Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards. (13) Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated. (14) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

**VARIANCE APPLICATIONS:** (1) All development must be in conformance with the plot plan and elevations. (2) Landscaping and a permanent underground sprinkler system shall be provided as required by the Board of Zoning Adjustment and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license. (3) A landscaping plan must be submitted prior to or at the same time application is made for a building permit, license, or prior to occupancy, whichever occurs first. (4) All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (5) City Code requirements and design standards of all City departments must be satisfied. (6) Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits. (7) Any damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works. (8) A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures, as required by the Department of Fire Services. (9) Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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

## CONSENT AGENDA

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

### EXTENSION OF TIME

75. **Z-69-96(1) - DURANGATANG, LIMITED LIABILITY COMPANY** - Request for an Extension of Time on property located on the south side of Oakey Boulevard, west of Buffalo Drive for a five lot single family subdivision, R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units Per Acre), Size: 2.39 Acres, Ward 1 (McDonald).

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

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## DISCUSSION/ACTION ITEMS

### EXTENSION OF TIME

76. **U-89-95(2) - REVIVAL TEMPLE CHURCH OF GOD IN CHRIST** - Request for an Extension of Time on an approved Special Use Permit on property located at 1603 North Tonopah Drive which allowed a 1,519 square foot church with bible study classes, U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation], Size: 1.07 Acres, Ward 3 (Reese).

### TENTATIVE MAP

77. **ABEYANCE ITEM - TM-34-97 - MARION VISTA I - ROBERT L. SHARP & AFFILIATED COMPANIES ON BEHALF OF MARY LEE COLEMAN** - Appeal of the Denial by the Planning Commission on a request for a Tentative Map on property located on the southwest corner of Washington Avenue and Marion Drive, R-MHP (Residential/Mobile Manufactured Home Park) Zone, under Resolution of Intent to R-1 (Single Family Residential), Size: 8.84 Acres, No. of Lots: 44, Ward 3 (Reese).

### SITE DEVELOPMENT PLAN REVIEW

78. **U-32-95(5) - THOMAS BODENSTEINER, ET AL** - Request for a Site Development Plan Review on property located on the east side of Durango Drive, north of Cheyenne Avenue for a PROPOSED 252 UNIT, TWO-STORY APARTMENT COMPLEX, U (Undeveloped) Zone, [SC (Service Commercial) General Plan Designation], under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

### REVIEW OF CONDITION

79. **Z-52-97(1) - ARTHUR CARUSO, ET AL, ON BEHALF OF TRU-WEST DEVELOPMENT, INC.** - Request for a Review of Condition on property located on the northwest corner of Bradley Road and Tropical parkway to allow 10% usable common open space within a proposed residential subdivision where a minimum of 15% of the gross land area is required, unless an ordinance creating a sliding scale for the provision of open space is approved by the City Council, U (Undeveloped) Zone, [L (Low Density Residential) General Plan Designation], under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Size: 21.67 Acres, Ward 4 (Brown).
80. **Z-53-97(1) - SIAVOSH AND JOANN HONARI REVOCABLE TRUST ON BEHALF OF TRU-WEST DEVELOPMENT, INC.** - Request for a Review of Condition on property located on the southwest corner of Bradley Road and Tropical Parkway, to allow 10% usable common open space within a proposed residential subdivision where a minimum of 15% of the gross land area is required, unless an ordinance creating a sliding scale for the provision of open space is approved by the City Council, U (Undeveloped) Zone, [L (Low Density Residential) General Plan Designation], under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Size: 20.35 Acres, Ward 4 (Brown).

### SITE DEVELOPMENT PLAN REVIEW AND REVIEW OF CONDITION - PUBLIC HEARING

81. **ABEYANCE ITEM - Z-140-93(3) - ERIC H. WOODS** - Request for a Site Development Plan Review and Review of Condition on property located at 2047 West Charleston Boulevard FOR A PROPOSED 16,200 SQUARE FOOT, TWO-STORY OFFICE BUILDING AND A REVIEW OF CONDITION THAT LIMITS THE BUILDING TO A MAXIMUM HEIGHT OF ONE STORY, C-D (Designed Commercial) Zone, Ward 1 (McDonald).

### VACATION - PUBLIC HEARING

82. **VAC-37-97 - CITY OF LAS VEGAS** - Petition to vacate a public alley generally located south of Lewis Avenue, between Third Street and Fourth Street, Ward 1 (McDonald).

**SIX MONTH REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING**

83. **ABEYANCE ITEM - U-2-97(1) - JOHN AND JACQUELINE EDMOND ON BEHALF OF CALVIN GAMBLE** - Required Six Month Review on an approved Special Use Permit on property located at 900 North Martin L. King Boulevard which allowed the OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING**

84. **U-168-92(1) - SCANDIA FAMILY FUN CENTERS** - Five Year Required Review on an approved Special Use Permit on property located at 2900 Sirius Avenue which allowed A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN, M (Industrial) Zone, Ward 1 (McDonald).

**SPECIAL USE PERMIT - PUBLIC HEARING**

85. **U-91-97 - DAVIS FUNERAL HOME, INC.** - Request for a Special Use Permit on property located at 2127 West Charleston Boulevard for a PROPOSED 3,143 SQUARE FOOT ADDITION TO AN EXISTING FUNERAL HOME, C-1 (Limited Commercial) Zone, Ward 1 (McDonald).
86. **U-94-97 - MASTER TELEVISION, INC. ON BEHALF OF LORETTA LAWRENCE** - Request for a Special Use Permit on property located at 1404 East Charleston Boulevard for a PROPOSED SECONDHAND FURNITURE DEALERSHIP, C-1 (Limited Commercial) Zone, Ward 3 (Reese).
87. **U-95-97 - DONREY OUTDOOR ADVERTISING COMPANY ON BEHALF OF PAYLESS CASHWAYS, INC. ON BEHALF OF DONREY OUTDOOR ADVERTISING** - Appeal filed by Donrey Outdoor Advertising Company on behalf of Payless Cashways, Inc. on behalf of Donrey Outdoor Advertising from the denial by the Planning Commission on a request for a Special Use Permit on property located at 4500 North Tenaya Way for a 40 FOOT HIGH, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN, C-1 (Limited Commercial) Zone, Ward 4 (Brown).
88. **U-98-97 - PAN PACIFIC RETAIL PROPERTIES, INC. ON BEHALF OF CHICO'S IV, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit on property located at 2341 North Rainbow Boulevard, Suite 100, for the SALE OF BEER AND WINE IN CONJUNCTION WITH A RESTAURANT, U (Undeveloped) Zone, [SC (Service Commercial) General Plan Designation], under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

89. **ABEYANCE ITEM - GPA-36-97 - LOZZI ENTERPRISES, INC.** - Request to amend a portion of the Northwest Plan Amendment to the General Plan on property located on the northeast corner of Gowan Road and Buffalo Drive, From: L (Low Density Residential) To: O, Ward 4 (Brown).

**REZONING RELATED TO GPA-36-97 - PUBLIC HEARING**

90. **ABEYANCE ITEM - Z-83-97 - LOZZI ENTERPRISES, INC.** - Request for a Rezoning on property located on the northeast corner of Gowan Road and Buffalo Drive, From: U (Undeveloped) [L (Low Density Residential) General Plan Designation] To: O (Office), Ward 4 (Brown).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

91. **GPA-44-97 - CITY OF LAS VEGAS** - Request to amend a portion of the Southeast Sector of the General Plan on property located on the southeast corner of Washington Avenue and Pecos Road, From: ML (Medium-Low Density Residential) To: M (Medium Density Residential), Ward 3 (Reese).

**REZONING RELATED TO GPA-44-97 - PUBLIC HEARING**

92. **Z-92-97 - CITY OF LAS VEGAS** - Request for a Rezoning on property located on the southeast corner of Washington Avenue and Pecos Road, Size: 5.0 Acres, From: R-1 (Single Family Residential), To: R-3 (Medium Density Residential), Ward 3 (Reese).

**GENERAL PLAN AMENDMENT - PUBLIC HEARING**

93. **GPA-47-97 - CHARLES, JR. AND LENKE TARR LIVING TRUST** - Request to amend a portion of the Southeast Sector of the General Plan on property located at 3505 East Charleston Boulevard, From: SC (Service Commercial) To: GC (General Commercial), Ward 3 (Reese).

**REZONING RELATED TO GPA-47-97 - PUBLIC HEARING**

94. **Z-95-97 - CHARLES AND LENKE TARR LIVING TRUST** - Request for a Rezoning on property located at 3505 East Charleston Boulevard, Size: 3.10 Acres, From: R-1 (Single Family Residential), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) To: C-2 (General Commercial), Ward 3 (Reese).

**SPECIAL USE PERMIT - PUBLIC HEARING**

95. **U-97-97 - ATTORNEY EDWARD G. MARSHALL ON BEHALF OF CHARLES, JR. AND LENKE TARR LIVING TRUST** - Appeal filed by attorney Edward G. Marshall on behalf of Charles, Jr. and Lenke Tarr Living Trust from the denial by the Planning Commission on a request for a Special Use Permit on property located at 3505 East Charleston Boulevard for a USED CAR SALES DEALERSHIP, R-1 (Single Family Residential), R-2 (Medium-Low Density Residential) and C-1 (Limited Commercial) Zones [proposed for C-2 (General Commercial) zoning], Ward 3 (Reese).

**TIME CERTAIN - 4:00 P.M. -- SPECIAL USE PERMIT - PUBLIC HEARING**

96. **ABEYANCE ITEM - U-78-97 - LIONEL, SAWYER & COLLINS ON BEHALF OF MAS TRADING COMPANY ON BEHALF OF ENCORE SENIOR LIVING, LIMITED LIABILITY COMPANY** - Appeal filed by Lionel, Sawyer & Collins on behalf of MAS Trading Company on behalf of Encore Senior Living, Limited Liability Company for a Special Use Permit on property located on the northwest corner of Peak Drive and Maverick Street FOR A CONVALESCENT CARE FACILITY, R-E (Residence Estates) Zone, Ward 4 (Brown).
97. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT MEETINGS AND DANGEROUS BUILDINGS OR NUISANCE/LITTER ABATEMENTS.

**X. ADDENDUM**

**XI. CITIZENS PARTICIPATION**

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

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

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

EXHIBIT C

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

# AFFIDAVIT OF PUBLICATION

RECORDED  
CITY CLERK  
OCT 14 11 01 PM '97

PASTE CLIPPING HERE

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 30, 1997 to OCTOBER 30, 1997, on the following days:

OCTOBER 30, 1997  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: Barbara Linford

Subscribed and sworn to before me this 30 day of OCT, 19 97  
Peggy D. Barron  
Notary Public

BILL NO. 97-01  
AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B, FOR THE PURPOSE OF FINANCING THE MASH CENTER AND PARK AND RECREATIONAL PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 27, 1997, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 10, 1997.  
s BARBARA JO RONE/MAJ  
City Clerk  
PUB: October 30, 1997  
Las Vegas Review-Journal



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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

# AFFIDAVIT OF PUBLICATION

Nov 26 10 43 AM '97

RECEIVED  
CITY CLERK

PASTE CLIPPING HERE

BILL No 97-80  
ORDINANCE NO 5028  
(of Las Vegas, Nevada)

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF ITS NEGOTIABLE "CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B," FOR THE PURPOSE OF FINANCING THE M\*A\*S\*H CENTER AND PARK AND RECREATIONAL PROJECTS, AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS, RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE, PROVIDING OTHER MATTERS RELATING THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that such Ordinance was proposed on October 27, 1997, and was passed at the meeting held on November 10, 1997, by the following vote of the City Council

Those Voting Aye Jan Laverty Jones  
Arnie Adamsen  
Michael J. McDonald  
Gary Reese  
Larry Brown  
Those Voting Nay NONE  
Those Absent NONE

This Ordinance shall be in full force and effect from and after the 14th day of November, 1997, i.e., the day after this publication of such Ordinance by its title only

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

DATED this November 10, 1997  
/s/ Jan Laverty Jones, Mayor  
Attest  
/s/ Barbara Jo Ronemus, City Clerk  
PUB November 13, 1997  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of NOVEMBER 13, 1997 to NOVEMBER 13, 1997, on the following days:

NOVEMBER 13, 1997

Signed: Barbara Linford

Subscribed and sworn to before me this 13 day of Nov, 1997

Peggy D. Barron  
Notary Public



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

# AFFIDAVIT OF PUBLICATION

PASTE CLIPPING HERE

BILL NO. 97-81

AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE CITY OF LAS VEGAS, NEVADA, GENERAL OBLIGATION (LIMITED TAX) VARIOUS PURPOSE BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 1997B, FOR THE PURPOSE OF FINANCING THE M.A.S.H. CENTER AND PARK AND RECREATIONAL PROJECTS; AUTHORIZING AND DIRECTING THAT THE CITY SHALL EFFECT SUCH PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN TOWARD ISSUING THE PROPOSED BONDS AND EFFECTING THE PURPOSE OF THEIR ISSUANCE; 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 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 27, 1997, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 10, 1997.

BARBARA JO RONEIAUS  
City Clerk  
PUB: October 30, 1997  
Las Vegas Review-Journal

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

BARBARA LINFORD, being first duly sworn, deposes and says:

REC'D  
CITY CLERK  
OCT 31 11 01 AM '97

That she/he is a legal clerk for the LAS VEGAS REVIEW-JOURNAL and THE LAS VEGAS SUN, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy of which is attached, was continuously published in the LAS VEGAS REVIEW-JOURNAL or THE LAS VEGAS SUN for a period of ONE insertions from the period of OCTOBER 30, 1997 to OCTOBER 30, 1997, on the following days:

OCTOBER 30, 1997

\_\_\_\_\_

\_\_\_\_\_

Signed: Barbara Linford

Subscribed and sworn to before me this 30 day of Oct, 1997

Peggy D. Barron  
Notary Public



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

