

See

City of Las Vegas Redevelopment Agency
Council Chambers • 400 East Stewart Avenue
Phone - 229-6011 [Voice] 386-9108 [TDD]

MINUTES

Meeting of
SEPTEMBER 15, 1999
9:00 A.M.

C

(Following the morning session of the City Council Meeting)

Called To Order: 11:46 A.M.
Adjourned: 11:54 A.M.

REDEVELOPMENT AGENCY	PRESENT	ABSENT	EXCUSED
CHAIRMAN OSCAR B. GOODMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER MICHAEL J. McDONALD - VICE-CHAIRMAN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MEMBER GARY REESE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER LARRY BROWN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER LYNETTE BOGGS McDONALD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIRGINIA VALENTINE, EXECUTIVE DIRECTOR	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BRADFORD R. JERBIC, CITY ATTORNEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BARBARA JO RONEMUS, SECRETARY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

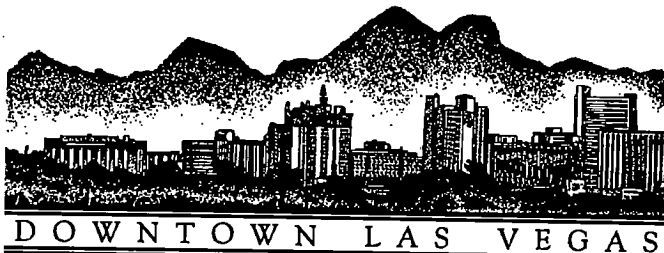
APPROVED BY REFERENCE: October 6, 1999

ATTEST:

SECRETARY

CHAIRMAN

16 ✓



City of Las Vegas Redevelopment Agency
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
PHONE 229-6100
September 15, 1999

9:00 A.M.

(Following Morning Session of City Council Meeting)

AGENDA

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THE U.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND THE FOLLOWING MONDAY AT 9:30 AM

- I. CALL TO ORDER
- II. ANNOUNCEMENT RE: COMPLIANCE WITH THE OPEN MEETING LAW
- III. APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF AUGUST 18, 1999
- IV. NEW BUSINESS
 - A. DISCUSSION AND POSSIBLE ACTION ON THE CERTIFICATE OF COMPLETION FOR THE BONNEVILLE SQUARE ASSOCIATES PROJECT

V. CITIZEN PARTICIPATION: ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISION OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A REDEVELOPMENT AGENCY MATTER NOT LISTED ON THE AGENDA, PLEASE STEP UP TO THE PODIUM AND CLEARLY STATE YOUR NAME AND ADDRESS. PLEASE LIMIT YOUR REMARKS TO THOSE MATTERS UNDER THE EXPRESS JURISDICTION OF THE REDEVELOPMENT AGENCY. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

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

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

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

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

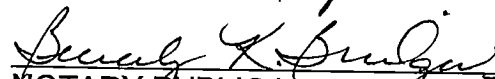
Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, depose and say that on the **9th** day of **September, 1999**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - **Redevelopment Agency Meeting**, to be held on the **15th** day of **September, 1999**, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

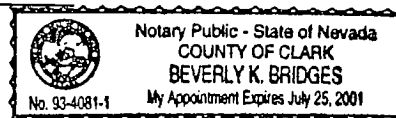


SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me
this 9th day of September, 1999.


NOTARY PUBLIC in and for
said County and State



REDEVELOPMENT AGENCY

MEETING OF

SEPTEMBER 15, 1999

City of Las Vegas

AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

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

THESE PROCEEDINGS ARE BEING VIDEOTAPED FOR REBROADCAST ON CABLE CHANNEL 4 BY THE U.N.L.V. HANK GREENSPUN SCHOOL OF COMMUNICATION. THE PROCEEDINGS WILL BE REBROADCASTED ON CABLE CHANNEL 4 THE WEDNESDAY OF THE MEETING AT 8:00 PM AND IS ALSO REBROADCAST ON SATURDAY AT NOON AND 7:30 PM, AND THE FOLLOWING MONDAY AT 9:30 AM

I. CALL TO ORDER

ANNOUNCEMENT MADE.

CALLED TO ORDER BY CHAIRMAN GOODMAN AT 11:46 A.M.

PRESENT: CHAIRMAN GOODMAN and MEMBERS REESE, BROWN, and L. McDONALD

EXCUSED: M. McDONALD

ALSO PRESENT: BRAD JERBIC, City Attorney, and BARBARA JO RONEMUS, Secretary
(11:46)
2-2656

II. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

ANNOUNCEMENT MADE: Posted as follows:

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Pkwy.
Court Clerk's Bulletin Board, City Hall
City Hall Plaza, Posting Board
(11:46)

III. APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF AUGUST 18, 1999

REESE - APPROVED by Reference - UNANIMOUS with M. McDONALD excused

There was no discussion.

(11:46)
2-2680

REDEVELOPMENT AGENCY

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SEPTEMBER 15, 1999

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

IV. NEW BUSINESS

A. DISCUSSION AND POSSIBLE ACTION ON THE CERTIFICATE OF COMPLETION FOR THE BONNEVILLE SQUARE ASSOCIATES PROJECT

REESE - APPROVED as recommended - **UNANIMOUS** with **M. McDONALD** excused and **GOODMAN** abstaining to avoid any possible conflict because he owns property in the general area of Casino Center and Bonneville

JEFFREY MARESH, Operations Officer, stated the item is considered routine; however, it also signifies the successful completion of the Bonneville Square Associates Project, which included a new drive-thru facility and office space for the Las Vegas Headquarters for the First Security Bank.

MAYOR GOODMAN indicated that he would be abstaining because he owns property in the general area of Casino Center and Bonneville.

There was no further discussion.

(11:46 - 11:47)

2-2692

City of Las Vegas

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: 9-15

DEPARTMENT: Redevelopment Agency
DIRECTOR: Mike Forche

Agenda Item No.: **A**

SUBJECT:

Discussion and possible action on the Certificate of Completion for the Bonneville Square Associates project.

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

In accordance with the DDA between the Agency and Bonneville Square Associates, upon completion of the project, the Agency shall issue a Certificate of Completion.

RECOMMENDATION:

It is the recommendation of the staff that the Agency Board approve the execution of the Certificate of Completion.

BACKUP DOCUMENTATION:

Disposition and Development Agreement
Form of Certificate of Completion

A

on the aggregate of such amounts had all such amounts become part of the mortgage or deed of trust debt and such debt had continued in existence to the date of payment by the Agency.

5. [§221] Right of Agency to Cure Mortgage, Deed of Trust or Other Security Interest Default

In the event of a default or breach by the Developer of a mortgage, deed of trust or other security interest with respect to the Site prior to the completion of the Development, and the holder has not exercised its option to complete the Development, the Agency may cure the default prior to completion of any foreclosure within ninety (90) days of the holder's notification that it will not complete the Development. In such event, the Agency shall be entitled to reimbursement from the Developer of all costs and expenses incurred by the Agency in curing the default. The Agency shall also be entitled to a lien upon the Site to the extent of such costs and disbursements.

Any such lien shall be subject to mortgages, deeds of trust or other security interests executed for the sole purpose of obtaining funds to acquire or develop the Site as authorized herein.

F. [§222] Certificate of Completion

A Certificate of Completion shall be issued promptly after receipt of a request therefor after completion of all construction. The Certificate of Completion for the Development shall be in the form attached hereto as Attachment "E" and shall also include an agreement in the form of Attachment "G" both of which shall be recorded in the Office of the County Recorder of Clark County. A Certificate of Completion for less than the entire improvement of the Development shall not be recorded.

The Certificate of Completion for the Development shall be, and shall so state therein that it is, a conclusive determination of the satisfactory completion of the construction required by this Agreement upon the Site or such portion thereof and of full compliance with the terms hereof. After issuance of the Certificate of Completion for the Development, any party then owning or thereafter purchasing, leasing or otherwise acquiring any interest in the Site or such portion thereof covered by said Certificate of Completion shall not (because of such ownership, purchase lease or acquisition) incur any obligation or liability under this Agreement, except that such party shall be bound by any covenants contained in the Agreement appended hereto as Attachment "G". Except as otherwise provided herein, after the issuance of the Certificate of Completion for the Development or such portion thereof, neither the Agency, the City nor any other person shall have

any rights, remedies or controls with respect to the Site or such portion thereof that it would otherwise have or be entitled to exercise under this Agreement as a result of a default in or breach of any provision of this Agreement, and the respective rights and obligations of the parties with reference to the Site or such portion thereof shall be as set forth in Sections 301 to 304, inclusive of this Agreement.

The Agency shall not unreasonably withhold the Certificate of Completion. If the Agency refuses or fails to furnish the Certificate of Completion for the Development after written request from the Developer, the Agency shall, within ten (10) days of such written request, provide the Developer with a written statement of the reasons the Agency refused or failed to furnish the Certificate of Completion. The statement shall also contain the Agency's opinion of the action the Developer must take to obtain a Certificate of Completion. If the Agency shall have failed to provide such written statement within said 10-day period, the Developer shall be deemed entitled to the Certificate of Completion.

The Certificate of Completion for the Development shall not constitute evidence of compliance with or satisfaction of any obligation of the Developer to any holder of a mortgage or any insurer of a mortgage securing money loaned to finance the improvements or any part thereof.

III. [§300] **USE OF THE SITE**

A. [§301] **Uses**

The Developer covenants and agrees for itself, its successors, assigns and every successor in interest that during construction and thereafter, the Site shall be devoted only to the uses specified in this Agreement, and the Redevelopment Plan, for the periods of time specified in Section 304. The foregoing covenants shall run with the land.

B. [§302] **Maintenance**

The Developer hereby covenants and agrees for itself, its successors, assigns and every successor in interest to maintain the improvements on the Site and keep the Site free from any accumulation of debris or waste materials and to maintain the landscaping required to be planted in accordance with the Plans and Drawings in a healthy condition. If at any time the Developer, or its successors in interest, shall fail to keep the Site free of debris or waste materials or to maintain said landscaping in a healthy condition, and said condition is not corrected within ten (10) days after written notice from the Agency, either the Agency or the City may perform the necessary cleanup or landscape maintenance, and the Developer, or its successors in interest, shall pay such costs as are reasonably incurred for such cleanup or landscape maintenance. The foregoing covenants shall run with the land.

BONNEVILLE SQUARE ASSOCIATES

1130 MARK AVENUE
CARPINTERIA, CA 93013
(805) 684-3394
FAX (805) 684-0232

August 23, 1999

Mr. David Oka
Development Project Officer II
Office of Business Development
300 S. 4th Street #905
Las Vegas, NV 89101

RE: Certificate of Completion

Dear Dave:

Per the Disposition and Development Agreement between the City of Las Vegas Development Agency and Bonneville Square Associates, LLC, dated February 24, 1997, we hereby request the Certificate of Completion, from your office, covering the recently completed improvements which were the subject of the Disposition and Development Agreement.

We understand the notification is to be in the form of Attachment E, a copy of which is attached for your use.

Kindest regards,

Bonneville Square Associates, LLC


Peter Kaufman
Manager

PK/bc
Enclosure

Recording Required by:

City of Las Vegas Redevelopment Agency

After Recording, Mail to:

Executive Director
City of Las Vegas Redevelopment Agency
400 East Stewart Avenue
Las Vegas, Nevada 89101

CERTIFICATE OF COMPLETION OF CONSTRUCTION AND DEVELOPMENT

WHEREAS, by Disposition and Development Agreement (DDA) dated February 24, 1999, the City of Las Vegas Redevelopment Agency, a public body, corporate and politic, hereinafter referred to as the "Agency," provided assistance to Bonneville Square Associates, hereinafter referred to as the "Developer," for construction and development of a certain redevelopment project situated in the City of Las Vegas, Nevada, described on Exhibit "A", attached hereto and made a part hereof (the "Site"); and

WHEREAS, as referenced in said DDA, the Agency shall furnish the Developer with a Certificate of Completion upon completion of all construction and development upon the Site, which Certificate shall be in such form as to permit it to be recorded in the Recorder's Office of Clark County; and

WHEREAS, such certificate shall be conclusive determination of satisfactory completion of the construction and development on the Site required by the DDA; and

WHEREAS, the Agency has conclusively determined that the construction and development on the Site has been satisfactorily completed;

Now, therefore, the Agency agrees and does hereby certify that the construction and

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...

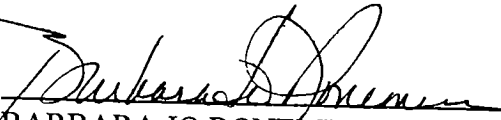
development on the Site have been fully and satisfactorily performed and completed.

IN WITNESS WHEREOF, the Agency has executed this Certificate this 15th day of September, 1999.


CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By: 
OSCAR B. GOODMAN, Chairperson

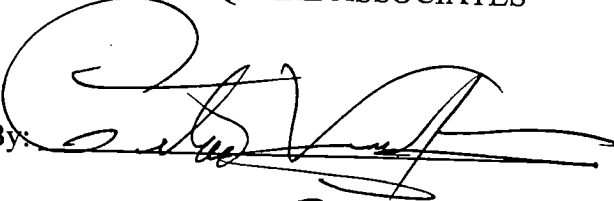
ATTEST:


BARBARA JO RONEMUS, Secretary

APPROVED AS TO FORM:

 9/3/99
Date

BONNEVILLE SQUARE ASSOCIATES

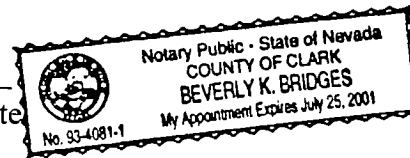
By: 
Its: Managing Partner

ACKNOWLEDGMENTS

STATE OF NEVADA }
 } ss.
COUNTY OF CLARK }

This instrument was acknowledged before me, a notary public, on this 16th day of September, 1999, by OSCAR B. GOODMAN, Chairperson of the City of Las Vegas Redevelopment Agency.

Beverly K. Bridges
NOTARY PUBLIC, in and for said County and State



STATE OF Michigan }
 } ss.
COUNTY OF Marquette }

This instrument was acknowledged before me, a notary public, on this 10th day of September, 1999, by Peter Kaufman, as managing partner of .

BONNEVILLE SQUARE ASSOCIATES.

Shana L. L'Hullier
NOTARY PUBLIC, in and for said County and State

SHANA L. L'HULLIER
Notary Public, Marquette County, MI
My Commission Expires May 5, 2003

EXHIBIT "A"

Legal Description of the Site

Lots 23, 24, 25 & 26 in Block 39 of CLARK'S LAS VEGAS TOWNSITE on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records.

A.P.N. 139-34-311-149 & 150

(514 & 516 Las Vegas Blvd. South)



REDEVELOPMENT AGENCY

MEETING OF

SEPTEMBER 15, 1999

City of Las Vegas

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ITEM

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ACTION

V. CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE 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 REDEVELOPMENT AGENCY MATTER NOT LISTED ON THE AGENDA, PLEASE STEP UP TO THE PODIUM AND CLEARLY STATE YOUR NAME AND ADDRESS. PLEASE LIMIT YOUR REMARKS TO THOSE MATTERS UNDER THE EXPRESS JURISDICTION OF THE DOWNTOWN REDEVELOPMENT AGENCY. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

BEATRICE TURNER, West Las Vegas resident, requested that the City Council look into abating the property at 510 West McWilliams Avenue, because the property owner is renting it out to the transients and it is a dope den. The proprietor has been previously cited, but nothing has come out of it. Serious action needs to be taken now. COUNCILMAN REESE requested that she provide LORETTA HALL of his staff with all the pertinent information.

(11:47 - 11:50)

2-2740

TOM McGOWAN, 720 South Casino Center Boulevard, stated that the MAYOR forgot to mention that he owns property in the vicinity of Fourth and Bonneville. MAYOR GOODMAN pointed out that he rents office space in that building.

MR. McGOWAN pointed out that the road resurfacing and construction taking place as part of the new Justice Center is prohibiting the CAT bus from loading and unloading passengers at any of the posted bus stops along the affected section of Main Street, as well as at Bonneville and Main. The Trolley Stops along Lewis and Fremont are also being affected. The road work will continue for 30 days, maybe longer, and neither Public Works, NDOT, nor the contractor have provided any reasonable alternative to alleviate the problem. He questioned what actions the City Council has taken to ensure the adequate public transit.

He warned that an item will appear on an upcoming agenda that is serious and of legal peril. The City Council's proactive and responsible response to that matter is recommended as both prudent and advisable in the interest of the Council members. He noted that the Council members already have all the necessary information regarding this matter.

He questioned why COUNCILMAN REESE is not a board member of the Sports Arena Committee and the Performance Arts Center Committee. MAYOR GOODMAN indicated that COUNCILMAN REESE is very concerned about the development of downtown and is participating in what is best for the City. It just so happens that there are a limited number of appointments that could be made. MR. McGOWAN noted that there is not a single member of the grassroots public on that Committee.

REDEVELOPMENT AGENCY

MEETING OF

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ACTION

V. CITIZENS PARTICIPATION - CONTINUED

As far as public comments, MR. McGOWAN advised that the Council need not sensor them. The Attorney General's office will address the matter and hold the Council members responsible.

(11:50 - 11:54)

2-2852

THE MEETING ADJOURNED AT 11:54 A.M.


BARBARA JO RONEMUS, SECRETARY