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

MINUTES

Meeting of
APRIL 16, 2003
9:00 A.M.

(Following the morning session of the City Council Meeting)

Called To Order: 11:35 A.M.
Adjourned: 11:53 A.M.

REDEVELOPMENT AGENCY	PRESENT	ABSENT	EXCUSED
CHAIRMAN OSCAR B. GOODMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER GARY REESE - VICE-CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER MICHAEL J. McDONALD	<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"/>
MEMBER LAWRENCE WEEKLY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MEMBER MICHAEL MACK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG SELBY, EXECUTIVE DIRECTOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: May 7, 2003

ATTEST:

SECRETARY

CHAIRMAN

262

City of Las Vegas

REDEVELOPMENT AGENCY MEETING
CITY HALL, 400 STEWART AVENUE
COUNCIL CHAMBERS

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
WEDNESDAY, APRIL 16, 2003
9:00 A.M.

(Following Morning Session of the City Council Meeting)

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

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

- CALL TO ORDER
 - ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
1. APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF MARCH 5, 2003
 2. DISCUSSION AND POSSIBLE ACTION REGARDING AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR THE L'OCTAINE URBAN APARTMENTS (APN #139-34-401-002) (\$50,000 GAIN) - WARD 5 (WEEKLY)

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:

Las Vegas Library, 833 Las Vegas Boulevard North
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

City of Las Vegas

REDEVELOPMENT AGENCY AGENDA **MEETING OF: APRIL 16, 2003**

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

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

CALLED TO ORDER BY CHAIR GOODMAN AT 11:35 A.M.

PRESENT: CHAIR GOODMAN, and MEMBERS REESE, M. McDONALD, BROWN, L.B. McDONALD, WEEKLY, and MACK

ALSO PRESENT: DOUG SELBY, Executive Director, BRADFORD JERBIC, City Attorney, and BARBARA JO RONEMUS, Secretary

ANNOUNCEMENT MADE: Posted as follows:

Las Vegas Library, 833 Las Vegas Boulevard North
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

(11:35)

2-2361

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: APRIL 16, 2003

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT
DIRECTOR: LESA CODER

SUBJECT:

APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF MARCH 5,
2003

MOTION:

REESE – APPROVED by Reference – UNANIMOUS

MINUTES:

There was no discussion.

(11:35)
2-2371

AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: APRIL 16, 2003

DEPARTMENT: BUSINESS DEVELOPMENT
DIRECTOR: LESA CODER

SUBJECT:

DISCUSSION AND POSSIBLE ACTION REGARDING AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR THE L'OCTAINE URBAN APARTMENTS (APN #139-34-401-002) (\$50,000 GAIN) - WARD 5 (WEEKLY)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount: Gain of \$50,000
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

On May 16, 2001, the City of Las Vegas Redevelopment Agency entered into a DDA with L'Octaine Limited Partnership for the sale and development of the parcel located at the southeast corner of Las Vegas Boulevard and Gass Avenue. The developer, L'Octaine Limited Partnership, has requested an amendment to the DDA to allow certain changes to the management structure of the L'Octaine Limited Partnership and allow an extension of the close of escrow to September 15, 2003.

RECOMMENDATION:

Given the number of previously granted extensions, staff cannot support this request. However, the applicant has requested significant changes to the organizational structure and will place an additional \$50,000 deposit with the City which may warrant granting the additional time.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Amendment to the DDA
3. Request Letter and Disclosure of Principals
4. Locator Map

MOTION:

WEEKLY – APPROVED the extension to 9/15/2003 – UNANIMOUS

MINUTES:

LESA CODER, Director, Office of Business Development, said that staff could not support another extension.

WILL NEWBURN, Tom Hom Group, explained that they need the extension because of the challenges they have faced with the state of the economy.

REDEVELOPMENT AGENCY MEETING OF APRIL 16, 2003

Business Development

Item 2 - DISCUSSION AND POSSIBLE ACTION REGARDING AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR THE L'OCTAINE URBAN APARTMENTS (APN #139-34-401-002) (\$50,000 GAIN)

MINUTES – Continued:

Changes have been made to the partnership and he is ready to move forward with the project, with an agreement to put forth an additional \$50,000 non-refundable deposit to show good faith. MAYOR GOODMAN confirmed with MR. NEWBURN that if this requested extension is approved and not met, the initial \$50,000 plus the additional \$50,000 will be forfeited.

MAYOR GOODMAN then added that he is very excited about the project and is eagerly awaiting its completion.

COUNCILMAN WEEKLY wished MR. NEWBURN success in this endeavor.

There was no further discussion.

(11:35 – 11:39)

2-2384

AGENDA MEMO

REDEVELOPMENT AGENCY MEETING DATE: APRIL 16, 2003

DEPARTMENT: BUSINESS DEVELOPMENT

ITEM DESCRIPTION: DISCUSSION AND POSSIBLE ACTION ON AN AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT AND AN EXTENSION OF THE CLOSE OF ESCROW FOR THE L'OCTAINE URBAN APARTMENTS TO SEPTEMBER 15, 2003 (APN #139-34-401-002)

1. On May 16, 2001, the City of Las Vegas Redevelopment Agency entered into a Disposition and Development Agreement (DDA) with L'Octaine Limited Partnership, for the disposition of a vacant parcel of land located at the southeast corner of Las Vegas Boulevard and Gass Avenue, APN 139-34-401-002 (the site). The DDA required L'Octaine Limited Partnership to secure financing within 90 days following the execution of the DDA ("Financing Commitment deadline") and to close escrow through purchase of the site no later than 180 days following the execution of the DDA ("Escrow deadline").

2. On January 22, 2002, L'Octaine Limited Partnership requested an extension of the Escrow deadline to February 28, 2002. In consideration of securing HOME financing from the City on January 30, 2002 the Redevelopment Agency extended the Financing Commitment deadline to February 28, 2002, and the Escrow deadline to March 15, 2002.

3. On February 28, 2002, L'Octaine requested a second extension, in consideration of the difficulty in securing financing commitments due to (in L'Octaine's estimation) the nature of the project, and a regulatory "watch list" on the rental market. The Redevelopment Agency extended the Financing Commitment deadline and the Escrow deadline to June 1, 2002.

4. On May 3, 2002, the City of Las Vegas Office of Business Development requested an update regarding the status of the project and L'Octaine's ability to meet the June 1 deadline for securing the financing commitment and closing escrow. On May 24, 2002, L'Octaine requested a third extension to August 30, 2002, citing a delay in obtaining final approval from the State of Nevada Housing Division for commitment of bond financing. L'Octaine indicated in their request that the State TEFRA hearing is scheduled for June 17, 2002, and the Board of Finance hearing is scheduled for August 13, 2002.

5. On June 19, a fourth extension extended the Financing Commitment and Escrow deadline to August 30, 2002, which would enable L'Octaine Limited Partnership to receive final approval of bond financing from the State of Nevada Housing Division and close escrow by August 30, 2002.

6. On September 9, 2002, L'Octaine requested a fifth extension to December 31, 2002, citing lender caution due to a downturn in the rental housing market.

City of Las Vegas

PAGE 2 - L'OCTAINE URBAN APARTMENTS AMENDMENT MEMO
APRIL 16, 2003

7. On October 16, 2002, a fifth extension extended the Financing and Escrow deadline to December 31, 2002, which would enable the L'Octaine Limited Partnership to receive final approval of bond financing from the State of Nevada Housing Division and close escrow by December 31, 2002.

8. On March 25, 2003 L'Octaine Limited Partnership requested an amendment to the terms of the DDA to allow restructuring of the partnership. The restructuring would name J. Scott Brown as general manager, replacing William Newbern and Thomas Hom. A further extension of the close of escrow to September 15, 2003 is also requested. In recognition of this extension, L'Octaine LP will deposit with the City, within two weeks of the granting of the extension, \$50,000 (fifty thousand dollars) additional deposit.

9. Following close of escrow (Conveyance Date), the DDA requires L'Octaine Limited Partnership to commence construction within 15 days of the Conveyance Date (by September 30, 2003), and to complete construction within 18 months thereafter.

**FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY AND
L'OCTAINE LIMITED PARTNERSHIP**

THIS FIRST AMENDMENT is made and entered into this 16th day of April, 2003, by and between the CITY OF LAS VEGAS REDEVELOPMENT AGENCY (the "Agency") and L'Octaine Limited Partnership, a Nevada limited partnership (the "Developer").

RECITALS

WHEREAS, on May 16, 2001, the Agency and the Developer entered into a Disposition and Development Agreement (the "DDA") for the construction and development of an apartment complex with retail space and parking garage on the Site (the "Project"); and

WHEREAS, due to certain circumstances concerning tax-exempt financing with the State of Nevada Housing Division (the "Division"), obtaining financing for the Project has been delayed and the Agency has granted extensions pursuant to the Developer's request; and

WHEREAS, the Developer is now ready to move forward with the Project and has requested certain modifications to the DDA.

NOW, THEREFORE, for and in consideration of the mutual agreement contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Agency and the Developer agree that the DDA be amended as follows:

1. Article I, Paragraph E (§105) shall be amended and replaced with the following:

E. §105 Parties to or Interrelated to this Agreement. As of the date of this First Amendment, L'Octaine Urban Housing, LLC, a Nevada limited liability company, is the sole general partner of Developer and Campaigne Affordable Housing - Company B, LLC, a California limited liability company ("CAH-B") is the sole limited partner of Developer. Mr. J. Scott Brown is the manager of L'Octaine Urban Housing, LLC.

2. Article I, Paragraph G shall be amended by adding the following paragraph [§109A] at the end of Section 109:

[§109A] Additional Deposit. Within fifteen (15) days of approval of this First Amendment by the Agency and in consideration of the extensions of time and modifications granted by this First Amendment, the Developer shall deliver to Agency an additional deposit in the form of either cash or cashier's check in the amount of Fifty Thousand and No/100ths Dollars (\$50,000). This additional deposit and the initial deposit by Developer shall in the aggregate be One Hundred Thousand and No/100ths Dollars (\$100,000) ("Deposit"). Notwithstanding the provisions in Section 109, the Developer agrees that if Developer fails to close escrow on the Site by September 15, 2003 (as noted in the Schedule of Performance, No. 12) or fails to commence construction by September 30, 2003 (as noted in Schedule of Performance, No. 15) the

Developer shall be in default of the Agreement and hereby waives any rights or remedies to the thirty (30) day written notice and an opportunity to cure as set forth in Section 501. The Agency shall immediately be entitled to terminate the Agreement and retain the Deposit upon providing written notice to the Developer. If Developer closes escrow on the Site by September 15, 2003 and commences construction by September 30, 2003, the One Hundred Thousand and No/100ths Dollars (\$100,000) Deposit shall be subject to the terms and conditions concerning the Deposit in the Agreement.

3. Revised Schedule of Performance. The Schedule of Performance, Attachment B to the DDA, is deleted and replaced with the Revised Schedule of Performance, attached hereto as Attachment B-1. All references to the Schedule of Performance shall be to the Revised Schedule of Performance.

4. No Other Amendments. Except as expressly set forth in this First Amendment, all provisions of the DDA shall remain in full force and effect.

CITY OF LAS VEGAS REDEVELOPMENT
AGENCY


By: 
OSCAR B. GOODMAN, Chairman

“Agency”

ATTEST:


BARBARA JO RONEMUS, Secretary

APPROVED AS TO FORM:

 4/4/03
Deputy City Attorney Date

L'OCTAINE LIMITED PARTNERSHIP
a Nevada limited partnership

By: L'OCTAINE URBAN HOUSING,
LLC, a Nevada limited liability
company, its General Partner

By:  4/16/03
J. SCOTT BROWN, Manager

“Developer”

ATTACHMENT B-1

REVISED
SCHEDULE OF PERFORMANCE

ACTION	DATE
1. <u>Execution and Delivery of Agreement.</u> Developer shall execute and deliver the Agreement to the City of Las Vegas Redevelopment Agency (the "Agency").	Completed
2. <u>Submission – Developer's Good Faith Deposit.</u> The developer shall deliver To the Agency a Good Faith Deposit.	Completed ¹
3. <u>Execution of Agreement by Agency.</u> The Agency shall hold a public hearing to authorize execution of this Agreement and, if so authorized, shall Execute and deliver this Agreement to the Developer.	Completed
4. <u>Submission – Basic Concept Drawings.</u> The Developer shall prepare and submit to the Agency for review and approval Basic Concept Drawings and related documents containing the overall plan for development of the Site.	Completed
5. <u>Approval – Basic Concept Drawings.</u> The Agency shall approve or disapprove the Developer's Basic Concept Drawings and related documents.	Completed
6. <u>Opening of Escrow.</u> The Agency shall open an escrow for conveyance of the Site to the Developer	Completed

¹ Upon execution by the Agency of the Amendment to the DDA, the Developer shall deposit an additional \$50,000 as noted in the First Amendment.

ACTION	DATE
7. <u>Approval – Physical Condition of the Site.</u> The Developer shall complete inspection of the Site and approve or disapprove the physical condition thereof.	Completed
8. <u>Submission – Design Development Documents.</u> The Developer shall prepare and submit to the Agency for review and approval design development documents for the Site.	Completed
9. <u>Approval – Design Development Documents.</u> The Agency shall approve or disapprove the Developer's design development documents.	Completed
10. <u>Submission of Developer's Commitment of Financing</u> (the "Commitment"). The Developer shall submit to the Agency for review and approval firm and binding commitment of financing from one or more lenders/capital providers of its choice pursuant to section 216.	July 15, 2003 ²
11. <u>Approval of Commitment.</u> The Agency shall approve or disapprove the Commitment.	July 23, 2003
12. <u>Close of Escrow.</u> The Agency shall convey title to the Site to the Developer, and the Developer shall Accept such conveyance.	September 15, 2003 ³
13. <u>Submission – Final Construction Documents.</u> The Developer shall prepare and submit to the Agency for review and approval final construction documents for the Site.	April 10, 2003

² Assumption: that the City Council approves the First Amendment to the DDA at its April 16, 2003 meeting.

³ Assumption: the State Board of Finance meets on August 12, 2003.

ACTION

DATE

14. Governmental Permits. The Developer shall obtain any and all permits required by the City or any other governmental agency, including building permits.

September 29, 2003

15. Commencement of Construction. The Developer shall commence Construction of the Development on the Site.

September 30, 2003 ⁴

16. Completion of Construction of Development. The Developer shall complete construction of the Development of the Site as evidenced by a Temporary Certificate of Occupancy.

January 2005

⁴ Assumption: the State Board of Finance meets on August 12, 2003.

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDOE, III
WILLIAM J. RAGGIO
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GARY R. GOODHEART
MICHAEL E. BUCKLEY
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JANET L. CHUBB
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KEVIN R. STOLWORTHY
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LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1963 - 1998)

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AMY N. TIRRE
NICOLE MOSCETTI VANCE**
GORDON H. WARREN

March 31, 2003

Dr. Douglas A. Selby
Executive Director
City of Las Vegas
Redevelopment Agency
400 Stewart Avenue
Las Vegas, NV 89101

Dear Dr. Selby:

We are submitting this letter on behalf of our client, L'Octaine Limited Partnership, a Nevada limited partnership (the "Partnership"), and pursuant to a request from Iain Vasey, to request an amendment to the Disposition and Development Agreement entered into between the Partnership and the City of Las Vegas (the "City") Redevelopment Agency ("RDA") on May 16, 2001 (the "DDA").

Pursuant to our February 18, 2003 meeting with City representatives, our March 25, 2003 meeting with Mayor Goodman, yourself, and City representatives, and our previous letters dated March 7, 2003, March 24, 2003, and most recently, March 28, 2003, we reiterate our request that an amendment to the DDA be drafted to account for the following modifications:

- 1) The Parties. The General Partner of Partnership should be L'Octaine Urban Housing LLC, a Nevada limited-liability company (the "General Partner"), instead of newHom Management, LLC or The Tom Hom Group Acquisition Corporation; and
- 2) The Manager. J. Scott Brown is Manager of the General Partner, replacing William W. Newbern and Thomas E. Hom, who serve as Managers of newHom Management LLC.
- 3) Signature Page. The amendment to the DDA should include a provision amending the signature page to take into account the revised signatory of the Borrower. The signature should now read: "By: L'OCTAINE URBAN HOUSING LLC, a Nevada limited liability corporation, its General Partner, by: J. Scott Brown, its Manager."

RENO OFFICE

100 WEST LIBERTY STREET, 12TH FLOOR

RENO, NEVADA 89504 TELEPHONE (775) 786-5000
*LICENSED IN GEORGIA AND DISTRICT OF COLUMBIA ONLY
**LICENSED IN CALIFORNIA ONLY
***PETE ERNAUT IS AN EXECUTIVE EMPLOYEE NOT LICENSED TO PRACTICE LAW

TELECOPIER (775) 786-1177

March 31, 2003

Page 2

As previously envisioned, there will be a tax credit equity investor and the Division will be the issuer of the tax-exempt financing.

Thus, the organizational structure of the Partnership will be as follows:

- The Borrower: L'Octaine Limited Partnership, a Nevada limited partnership.
- The General Partner of the Borrower: L'Octaine Urban Housing LLC, a Nevada limited-liability company.
 - The Manager of the General Partner: J. Scott Brown
- The Limited Partners of the Borrower: (1) Campaign Affordable Housing - Company B, LLC, a California limited-liability company ("Company B"); and (2) the tax credit investor, currently expected to be a subsidiary entity of Related Capital Company or its affiliate, PW Funding.

Because of these changes, we are filing an amended City Disclosure of Principals Form, in the form attached hereto as Exhibit A. At this time Company B is the only limited partner, so Exhibit A reflects that status. When the tax credits can be calculated, and prior to the Division's sale of the tax-exempt bonds, the Partnership Agreement will be amended to reflect the admission of the tax credit investor limited partner, and we will amend Exhibit A with the correct name of that entity.

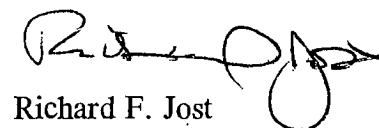
Finally, we also ask that the amendment include the revised Schedule of Performance in the form as attached to our March 28, 2003 letter to you.

This letter should also serve as our formal request that the amendment to the DDA, which includes the above modifications, be placed on the agenda for the April 16, 2003 Las Vegas City Council meeting.

Please let Krisanne Schlachter (702-862-3329) or me (702-862-3383) know if you have any questions.

Very truly yours,

JONES VARGAS



Richard F. Jost

Enclosures
RFJ/yg

March 31, 2003

Page 3

Cc: Steven Houchens, Deputy City Manager, City of Las Vegas
Lesa Coder, Operations Officer, City of Las Vegas Redevelopment Agency
Iain Vasey, Manager, Office of Business Development
William Newbern, Manager, newHom Management LLC
J. Scott Brown, Manager, L'Octaine LLC
Krisanne Schlachter, Jones Vargas

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1	Contracting Entity
L'Octaine Limited Partnership	
Name	P.O. Box 6950 San Diego, CA 92166
Address	(619) 283-5155
Telephone	88-0456937
EIN or DUNS	

Block 2	Description
Subject Matter of Contract/Agreement	
LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), SEVEN (7), EIGHT (8) AND NINE (9) IN BLOCK TWENTY-SIX (26) OF THE SOUTH ADDITION TO THE CITY OF LAS VEGAS, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 51, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.	
RFP	

Block 3	Type of Business
<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Limited Partnership
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Corporation
<input type="checkbox"/> Trust	<input type="checkbox"/> Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	See Attached		
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: ____.

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

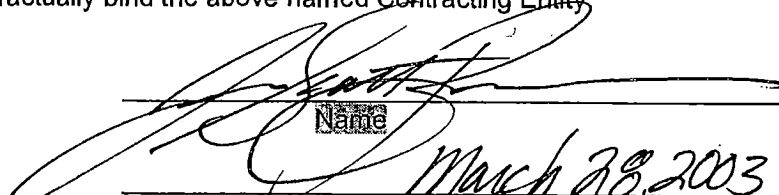
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

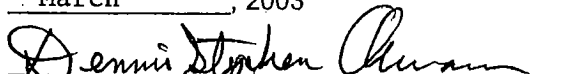


 Name

 Date March 28, 2003

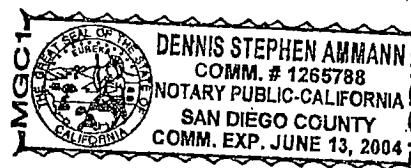
Subscribed and sworn to before me this 28th day of

March, 2003



 Notary Public

Dennis Stephen Ammann



ATTACHMENT
Disclosure of Ownership and Principals

L'Octaine Urban Housing LLC	P.O. Box 6950 San Diego, CA 92166
Company B	1651 Rosecrans Street San Diego, CA 92106-2263
Company B Class A Members	
Chris & Kirsten Cramer Family Trust	777 Armada Terrace San Diego, CA 92106
Cynthia P. Olmstead Exempt Trust	3027 Homer Street San Diego, CA 92106
Carne Family Trust	6086 Wenrich Drive San Diego, CA 92120
Eugene M. Foster & Joan F. Foster Trust	c/o Wheeler Frost Associates, Inc. 1545 Hotel Circle South #280 San Diego, CA 92108
Blackstone Consulting, Inc.	1545 Hotel Circle South, Suite 280 San Diego, CA 92108
Peter F. Virginia L. Seligman	4427 Pescadero Avenue San Diego, CA 92107
Pollard Trust	14415 Crestwood Avenue Poway, CA 92064
Grossmont Medical Clinic, Inc.	4587 54 th Street San Diego, CA 92115
Boatwright Family Trust	701 "B" Street, Suite 2100 San Diego, CA 92101
James S. Brown Revocable Trust	591 Camino de la Reina, Suite 1015. San Diego, CA 92108
Campaige Family, L.P.	4408 30 th Street San Diego, CA 92116
Jessop Family Trust	401 West "C"2 Street San Diego, CA 92101
Lloyd Stuart Kuritsky Trust	649 Torrance Street San Diego, CA 92013
LaCroix Family Trust	2674 Willow Street San Diego, CA 92106
Kenneth Markstein	P.O. Box 6902 San Marcos, CA 92079
Sandalwood Bay, L.P.	4408 30 th Street San Diego, CA 92116
Remarc Holdings, L.P.	1032 Barcelona Drive San Diego, CA 92107

Brown Family Trust	335 Via Andalusia Encinitas, CA 92024
E.T. & D.W. Cramer Family Trust	727 Armada Terrace San Diego, CA 92106
Landis Family Trust	381 Silvergate Avenue San Diego, CA 92106
Olmstead Family Trust	3027 Homer Street San Diego, CA 92106
Robert Charles, LLC	6363 El Cajon Boulevard, Suite 206 San Diego, CA 92115
Bill and Susan Hoehn Family Trust	P.O. Box 789 Rancho Santa Fe, CA 92067
Allen E. Hom	17221 Lido Lane Huntington Beach, CA 92647
JRL, LP	P.O. Box 181887 Coronado, CA 92178
Papier, LP	P.O. Box 181887 Coronado, CA 92178

Company B Class B Members

Sandalwood Bay, L.P.	4408 30 th Street San Diego, CA 92116
Campaige Family, L.P.	4408 30 th Street San Diego, CA 92116

Water Conservation Approaches

Water conservation today is as important as it was before the recent Spring rains provided some relief and added some water to the lake level and the underground aquifers. The drought condition may have been temporarily set aside, but the danger is still lurking on the sidelines.

The following options are offered for consideration. They are not to be interpreted as the only means to conserve water, but only to stimulate the imagination of anyone who once had an idea on water conservation that was not needed when there was sufficient water available. The approach to conserve water has many paths that are available; xeriscape gardens, replacement of lawns with rock, application of soil amendments, and replacement of high water use grass with a hybrid that is more water tolerant. A local Las Vegas area favorite is the xeriscape garden. The fallacy of the xeriscape is to replace one problem with another. The lawns, trees and bushes that are replaced with the water tolerant plants, removes some of nature's tools that work for us to give life breathing oxygen; reduce dust pollution; while providing some cooling from the desert heat. The water authority further complicates the situation by subsidizing this approach by a cash payment for the grass that has been replaced. This removal of the cooling grass merely adds more of a demand on the electrical energy to drive the air conditioners. This is a good time to evaluate the importance of the need to conserve water or reduce the use of electrical energy. The water is needed to sustain life, as the human body can only function efficiently for three days without water, as compared to the inconvenience of cooling and cooking without electricity. (under very severe temperature conditions electricity is required to sustain life). The approach to compensate the grass removal is not very practical as it requires the initiative of the homeowner to take the first step before payment can be made. Many persons are not totally familiar with what is required or do not believe the action is beneficial even though the payment for the replacement of the lawns has been increased from 40 cents to one dollar for every square foot of lawn replaced.

The first option is to have the water authority establish a 'benchmark value' for the user of the water based on an annual historical number of gallons used. This information is in the records of the water authority and would be the basis of a credit for all water use recorded below or above the standard. This would only require a computer program that would automatically make the adjustment on the payment form. The user is more apt to participate in water conservation when the savings (or penalties) are immediately noted. This would also alert the authority or the user of any unknown water problems, when the penalties are challenged as not appropriate, and could speed up the correction of the deficiency in less time thereby conserving more water. This approach is cost effective as it does not require any additional personnel, specialized equipment other than an addition to the existing program, which is a one time expense.

Another option is for the local responsible water office to issue a Request For Proposals to draw from the population any ideas that conserve water. Some would not be practical for many reasons, but if only one idea is sent forward that is practical, cost effective and conserves water, the initial investment to issue this call and perform the evaluation is miniscule when compared with the water and money that would be saved over a period of years.

These are just broad suggestions. Specific details will be provided upon request.

Submitted at Redevelopment Agency

Date 4/16/03 Item Citizen Participation

City of Las Vegas

REDEVELOPMENT AGENCY MEETING OF APRIL 16, 2003
Citizens Participation

MINUTES – Continued:

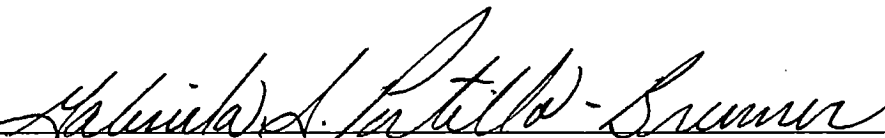
EVERETT ASMICK, 4649 Bumble Bee Circle, read and submitted his written comments regarding water conservation.

(11:39 – 11:53)

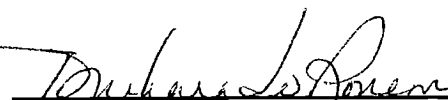
2-2549

THE MEETING ADJOURNED AT 11:53 A.M.

Respectfully submitted:


GABRIELA S. PORTILLO-BRENNER, DEPUTY CITY CLERK

July 1, 2003


Barbara Jo Ronemus, Secretary

**AGENDA SUMMARY PAGE
REDEVELOPMENT AGENCY MEETING OF: APRIL 16, 2003**

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.

MINUTES:

BEATRICE TURNER, West Las Vegas resident, expressed appreciation to Code Enforcement for citing her mother. She then urged the Council to attract development to the corner of Owens and H Street. She is tired of seeing the sign announcing a forthcoming building, but nothing has been built. She also urged the Council to assist the people that are at risk of losing their homes within the Bonanza Village neighborhood because they cannot afford the Special Improvement District (SID) for the block wall.

TODD FARLOW, 240 N. 19th Street, questioned the status of the apartment complex that was supposed to be developed on South Third Street. MAYOR GOODMAN explained that the project is the one discussed in Item 2 of this Agenda. A world-class architect designed the project.

TANYA ROLLAND, former resident leader at the Housing Authority, complained about being evicted by the Housing Authority because they alleged that her son is a nuisance and danger to the residents. However, she obtained a statement from Police Records stating that none of the incidents alleged by the Housing Authority are valid. Her son has been arrested for petty larceny, but there are residents at the Housing Authority that have done home invasions and cut up people that have not been evicted. There are security personnel that work at the Housing Authority that abuse the residents. The television that was given by COUNCILMAN WEEKLY for the community center was stolen because it was left open. Everything was taken out and nobody made a police report. MAYOR GOODMAN advised her to speak with COUNCILMAN McDONALD. MS. ROLLAND insisted that she was evicted because she speaks up. MAYOR GOODMAN asked MS. ROLLAND to meet with COUNCILMAN McDONALD after the meeting.

TOM McGOWAN, Las Vegas resident, suggested doing away with the Communications Department and redirecting the funds for sustaining the police department so that the Council can assist in the eradication of crime once and for all instead of just talking about it.