City of Las Vegas

Agenda Item No. 47

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ADMINISTRATIVE:

Report on the status of the 61-acre design and development - Ward 5 (Weekly)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
On January 8, 2003 the Council authorized a program for the City to undertake development efforts on the City's 61 acres through its City Parkway corporations. On July 16, 2003 staff presented a draft concept plan for the site. On September 17 the Council approved a Framework Plan and Infrastructure Construction Phasing. Staff will present a report on what has happened since then and what is scheduled for the coming months.

RECOMMENDATION:
Report only; no action required

BACKUP DOCUMENTATION:
Submitted after meeting: copy of PowerPoint

MOTION:
None required. A report was given.

MINUTES:
CITY MANAGER SELBY mentioned that DICK OGLESBY, who recently passed away, was very instrumental in guiding the City with its efforts in the design and development of the 61 acres. He then gave a report using a PowerPoint presentation, which is made a part of the final minutes. He noted that the name Union Park has come up at various discussions for the 61 acres. This name has a resonance with most people that have heard this name, as it represents a unification of the old and new downtown areas, and it carries a historic connotation that this was the old Union Pacific Railroad site. Staff would also like the name Union Park District to be considered, given that the Centennial Plan for downtown has various districts identified for the City. With the master plan currently in place and the design guidelines being finalized, construction should commence this fall. A special meeting was scheduled for the following week with all the stakeholders around the Union Pacific property to discuss all the master plans to come up with a coordinated effort on this project as well as those adjoining this site. He pointed out that a few years ago the City would have appreciated anyone showing an interest, but it is now in a position where it can be selective.

CITY COUNCIL MEETING OF MAY 5, 2004
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MINUTES – Continued:

CITY MANAGER SELBY recommended the next step include developing a pro forma to show how the financing is going to come together for this project, completing the design guidelines, doing some marketing in order to make the development interests aware of the project, and defining a process to pre-qualify developers, as well as defining a process to undertake land sales.

MAYOR GOODMAN mentioned that it is exciting to be building a city within the City. He commended his fellow Council members for their vision on this project, which will bring a vibrancy the community has never experienced. He applauded CITY MANAGER SELBY for his hard work.

ISAAC HENDERSON, West Charleston resident, fully supported this project. He pointed out that it would beneficial to include an institution that keeps the teachers educated on the most current technology. He then presented some documents on the overhead, but the Mayor pointed out that they did not relate to this matter. MR. HENDERSON reiterated that keeping the educators educated is key to bringing in more money to the community.

NOTE: COUNCILMAN MACK directed CITY MANAGER SELBY to explore the possibility of naming an interior street of the project after MR. OGLESBY. CITY MANAGER SELBY answered that he is already exploring that possibility.

(10:12 – 10:24)

100 GRAND CENTRAL PARKWAY

DOWNTOWN LAS VEGAS DEVELOPMENT

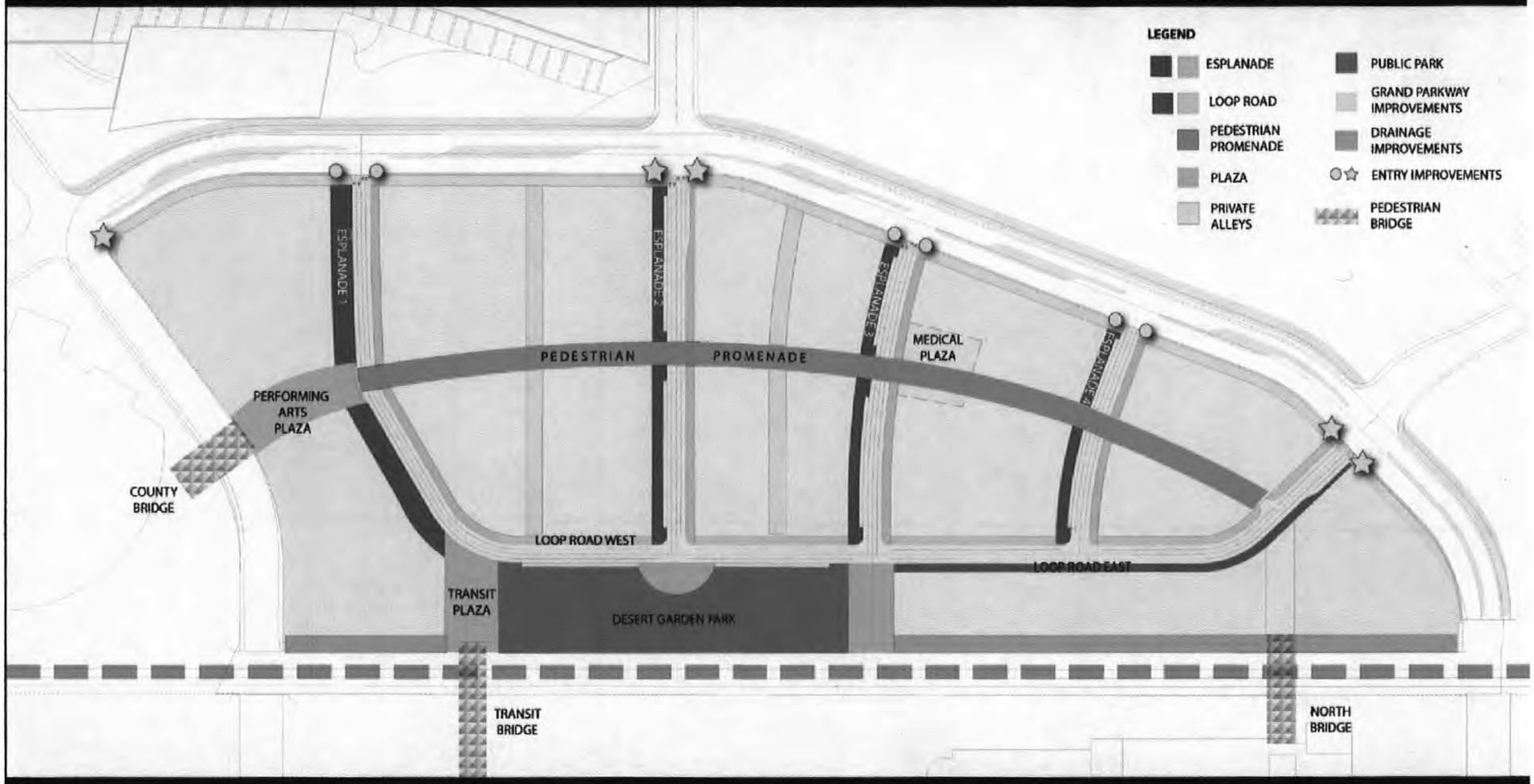
>*VISION*: The goal of the redevelopment is to create and implement a world-class urban village that maximizes city-wide assets, takes responsibility for integrating with existing urban context and captures the benefits of future transit systems.



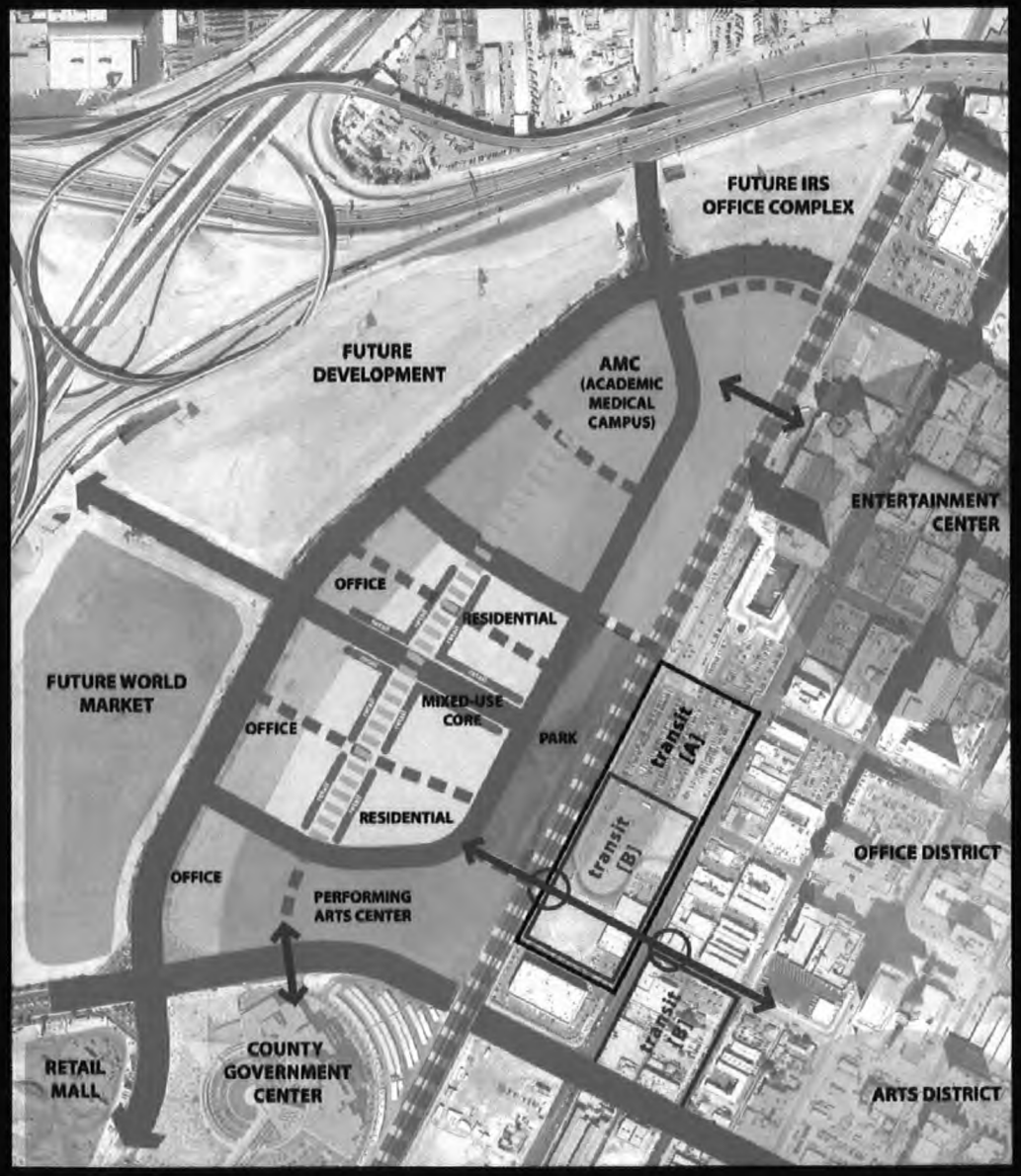
CITY OF LAS VEGAS

Design Workshop | RNL Design | Kimley-Horn & Associates

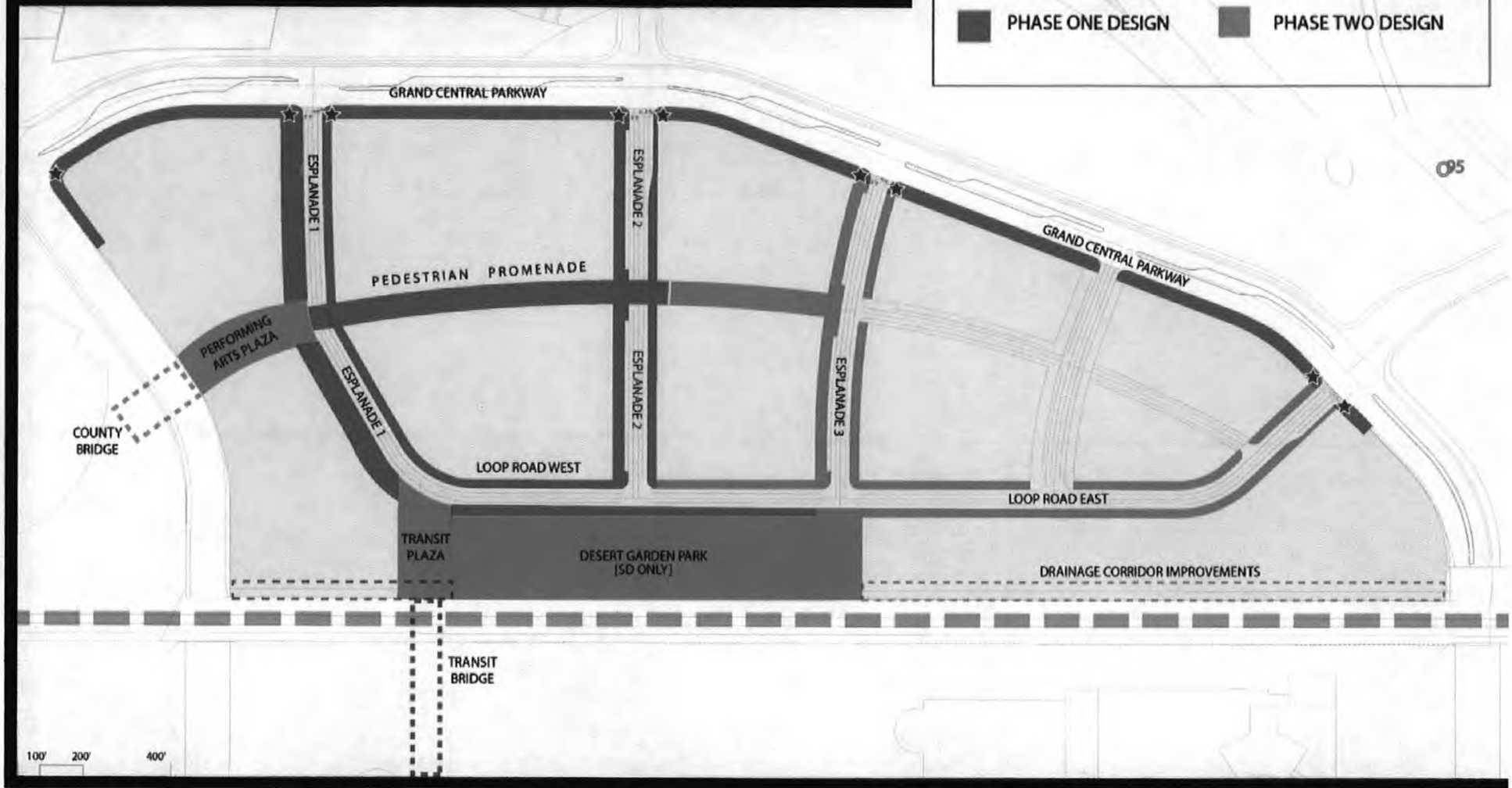
#4
5/5/04



Framework Plan


FUTURE IRS
OFFICE COMPLEX
FUTURE
DEVELOPMENT
AMC
(ACADEMIC
MEDICAL
CAMPUS)
ENTERTAINMENT
CENTER
OFFICE
RESIDENTIAL
FUTURE WORLD
MARKET
MIXED-USE
CORE
OFFICE
PARK
transit
(A)
RESIDENTIAL
transit
(B)
OFFICE DISTRICT
OFFICE
PERFORMING
ARTS CENTER
transit
(C)
RETAIL
MALL
COUNTY
GOVERNMENT
CENTER
ARTS DISTRICT

Land Use



Phase One Work Limits


UNION
PARK
DOWNTOWN LAS VEGAS DEVELOPMENT

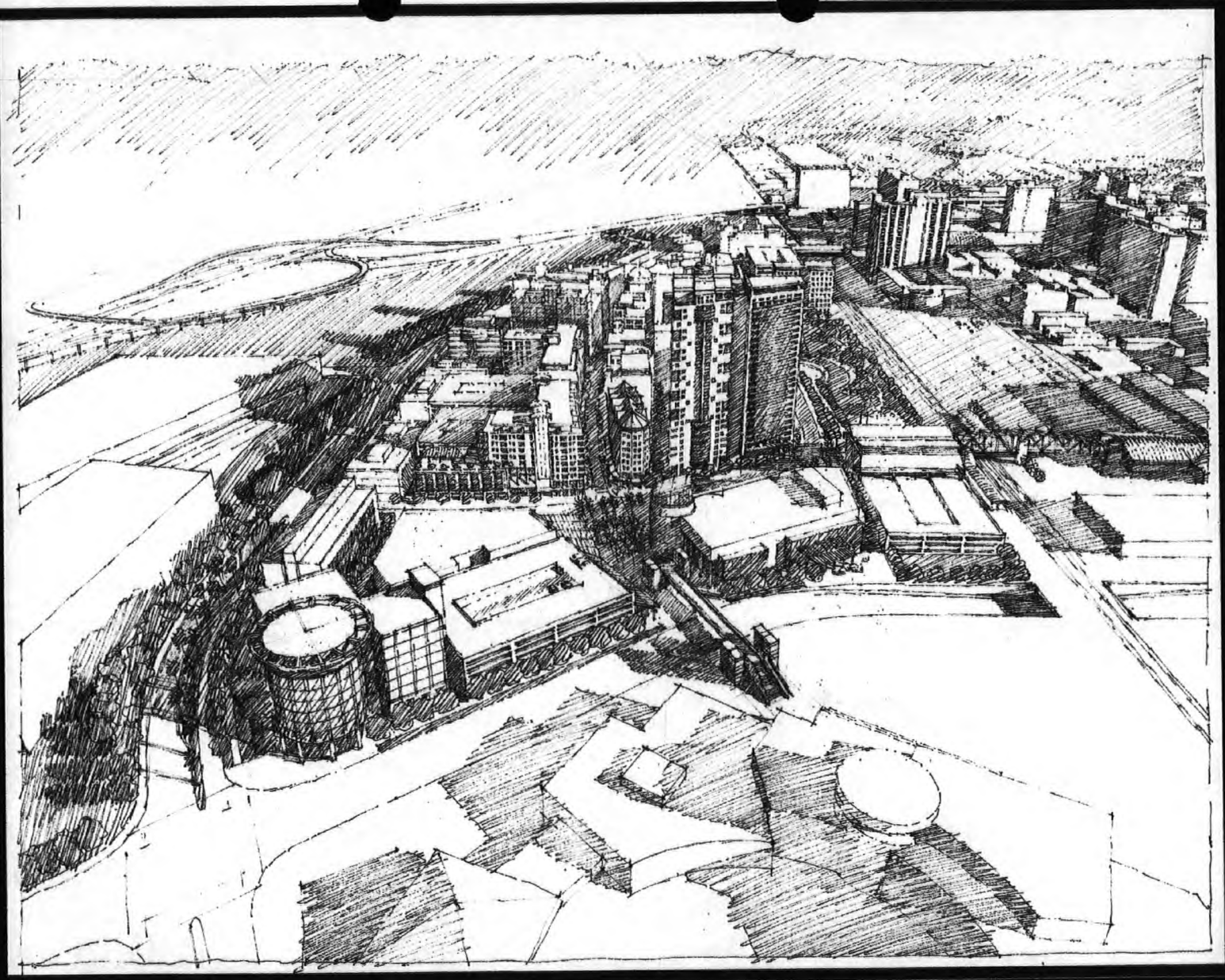


District Marker

Wayfinding

Regulatory

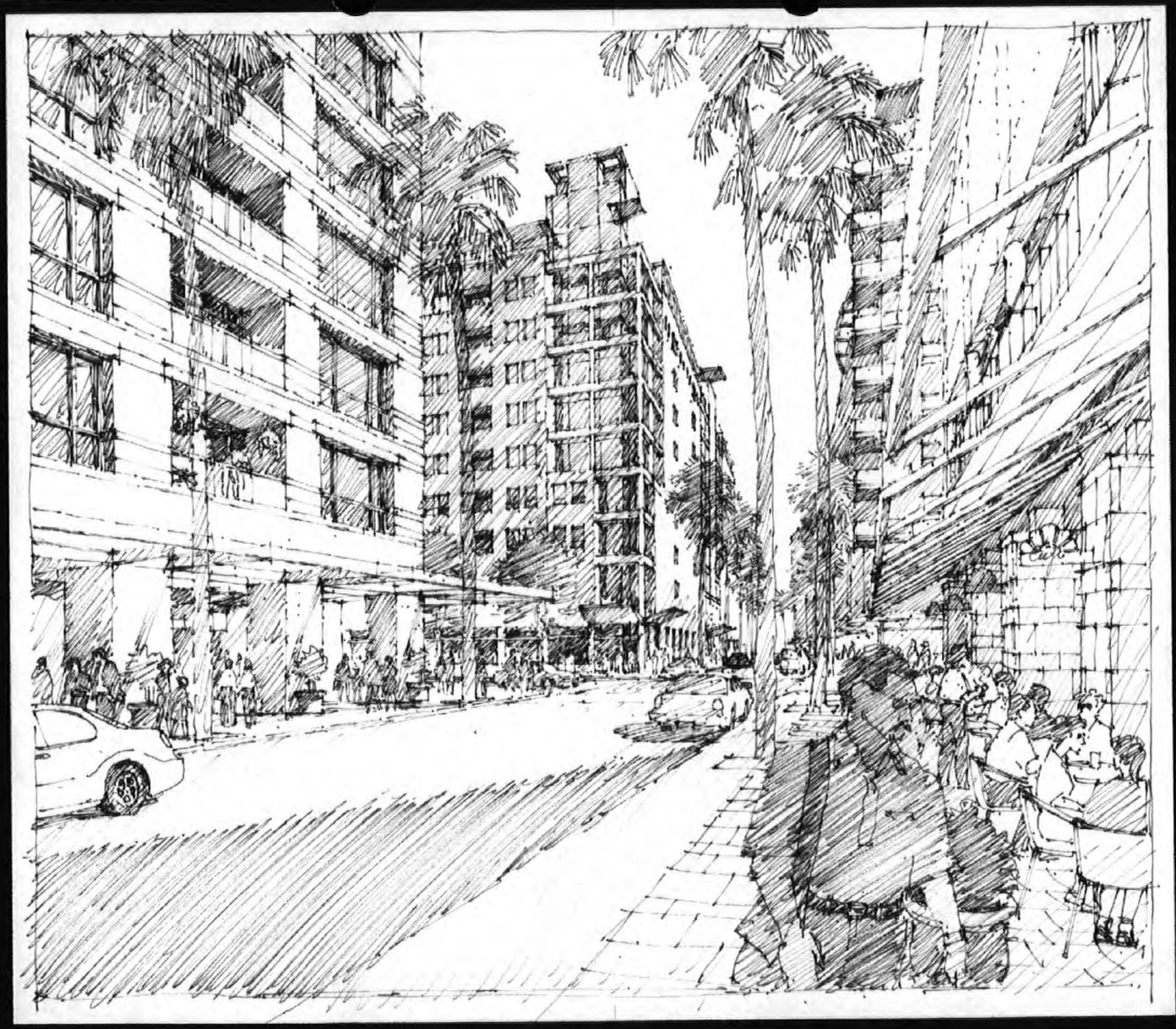
District Identity / Signage



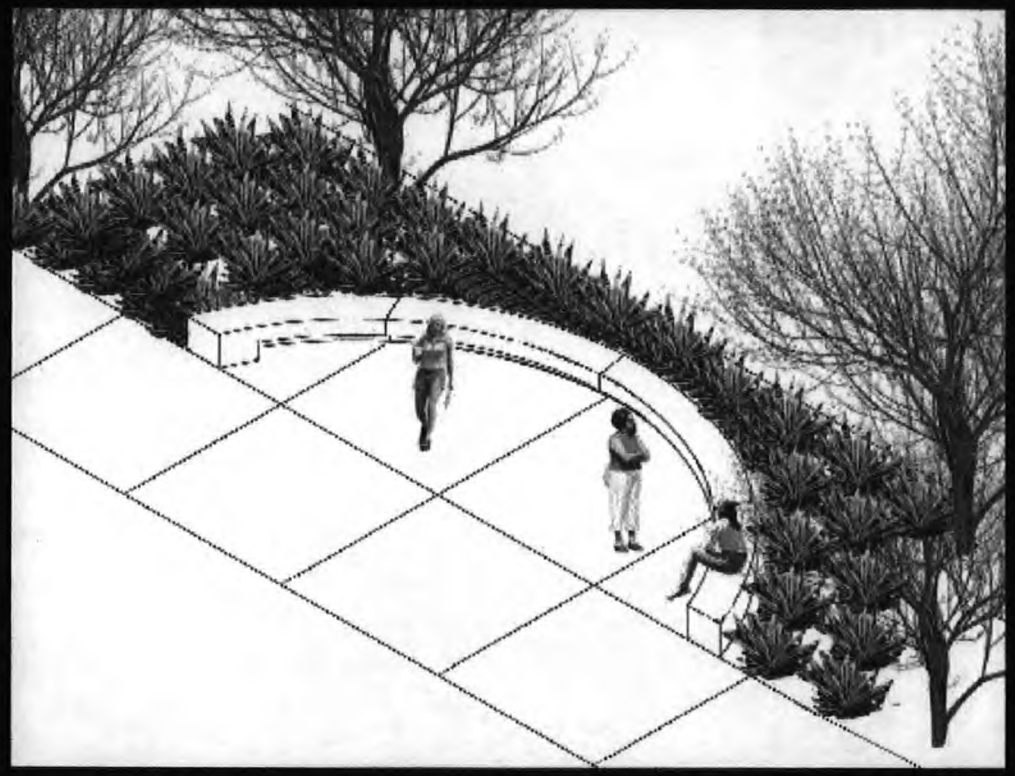
Union Park Illustration



West Clark Avenue Illustration



Promenade Illustration

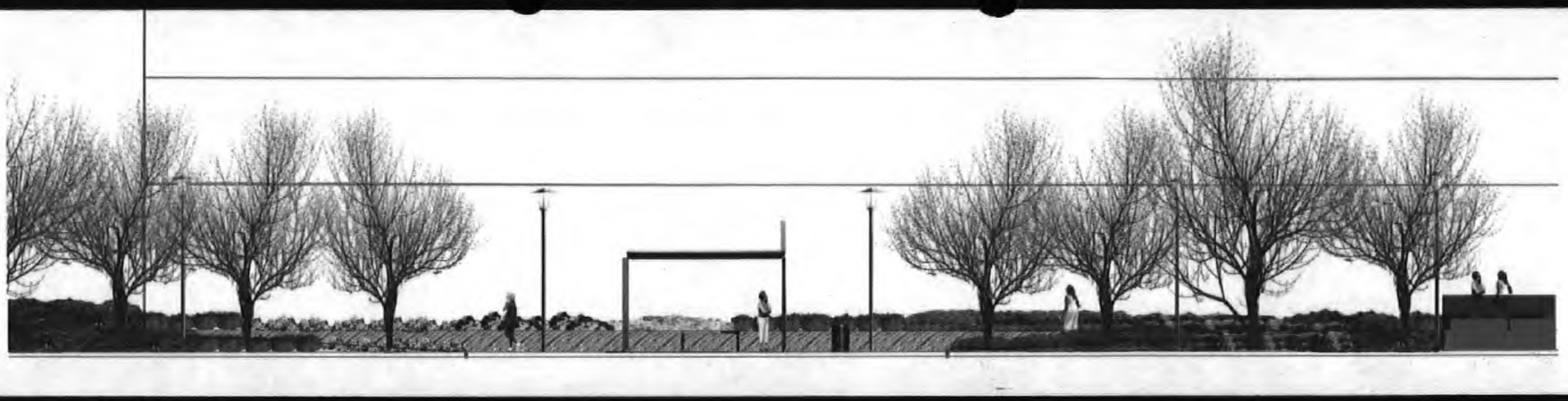


Parkway 3d perspective

Parkway character image



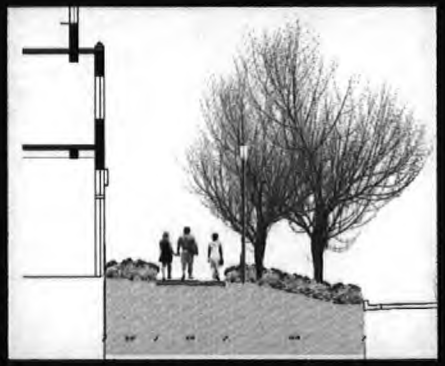
Grand Central Parkway

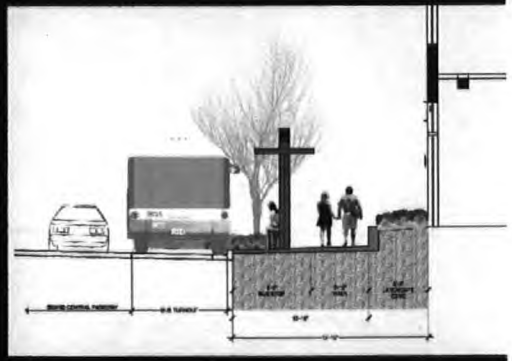


Parkway elevation



Parkway vehicular perspective

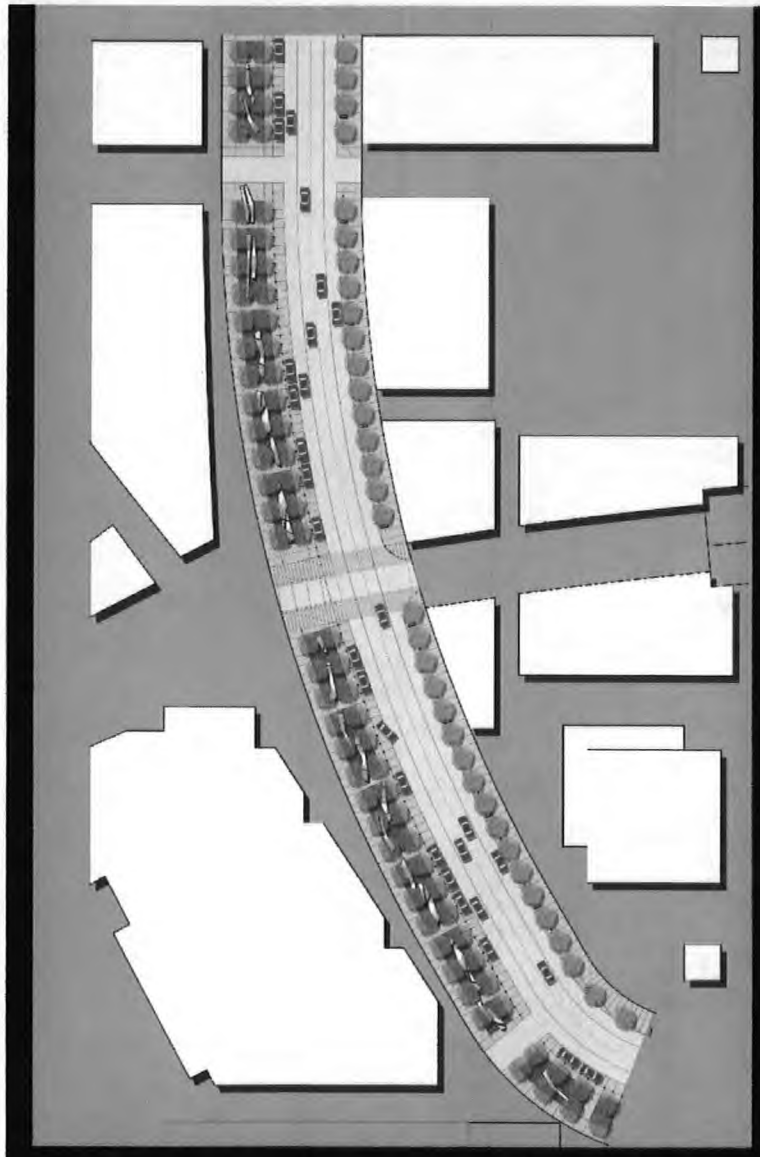




Parkway street sections



Grand Central Parkway



Esplanade One site plan

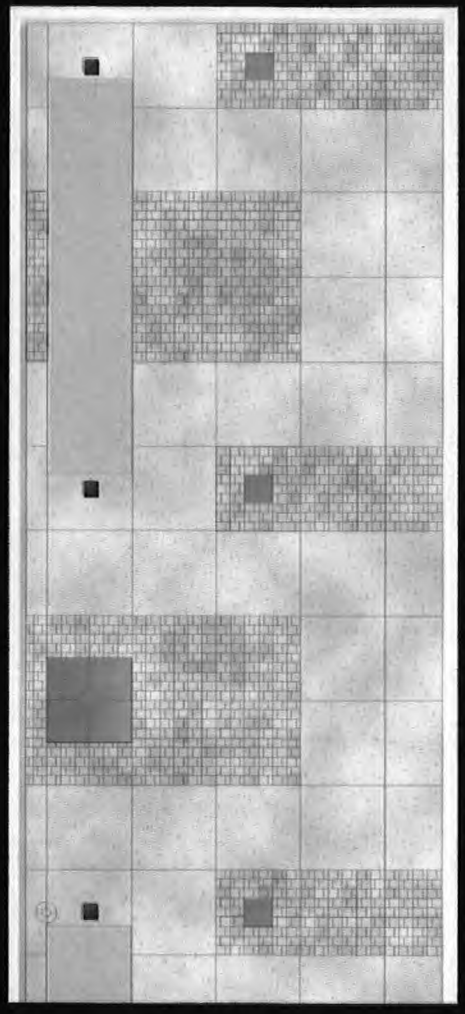


Esplanade
One site plan
enlargement

Esplanade One
3d illustration



Union Park - West Clark Avenue



Concrete paving option



3d view of northern pedestrian edge



3d view of southern pedestrian edge



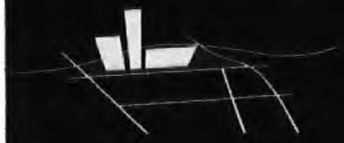
Custom concrete bench alternatives

Union Park - West Lewis Avenue

Promenade vision







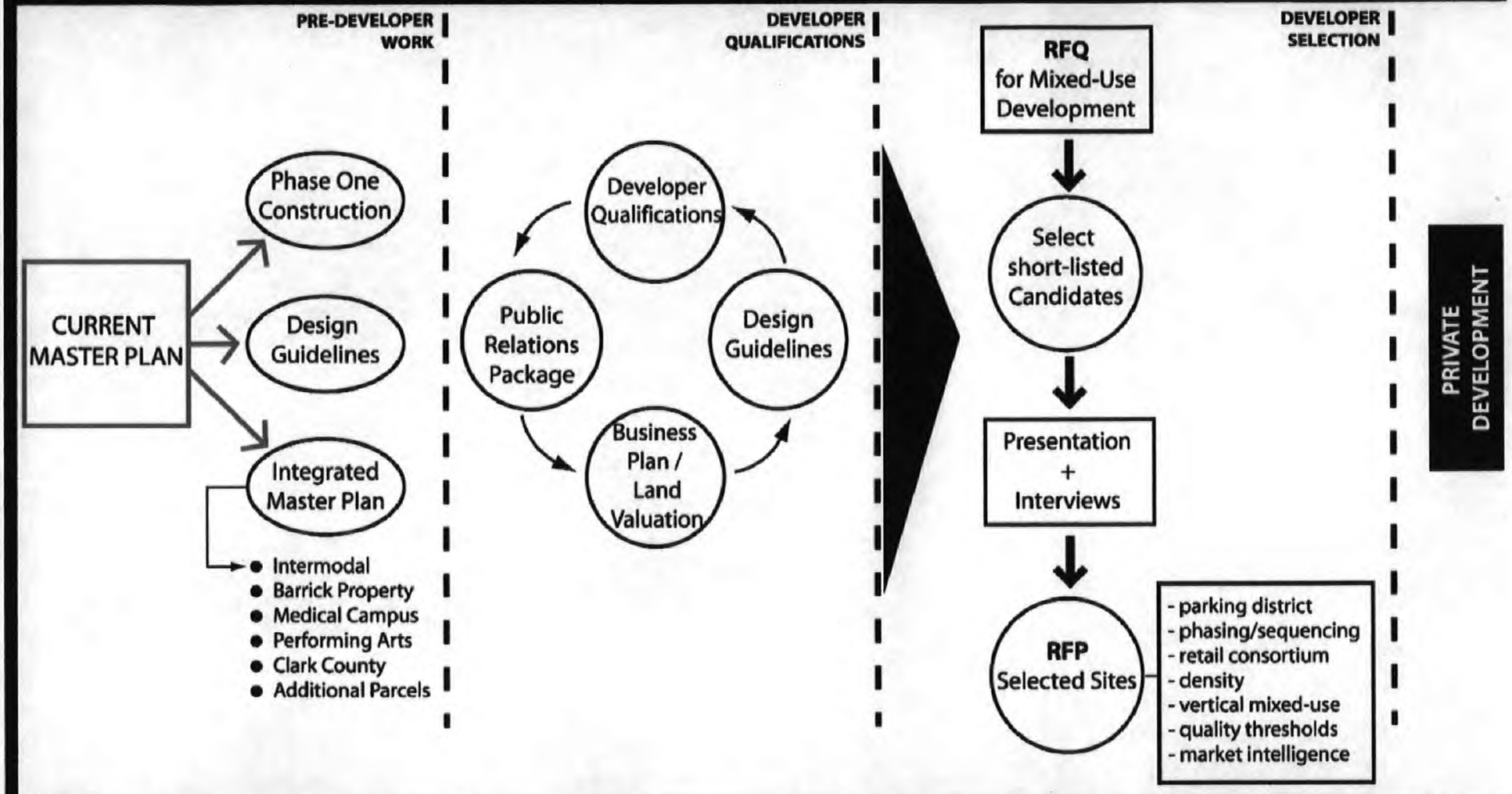
Union Park - Promenade

Streets and Infrastructure Improvement Costs	$6,000,000
Streets and Infrastructure Improvement Design Fee	$600,000
Streetscape / Plazas / Open space Improvement Costs	$15,000,000
Streetscape / Plazas / Open Space Design Fee	$1,500,000

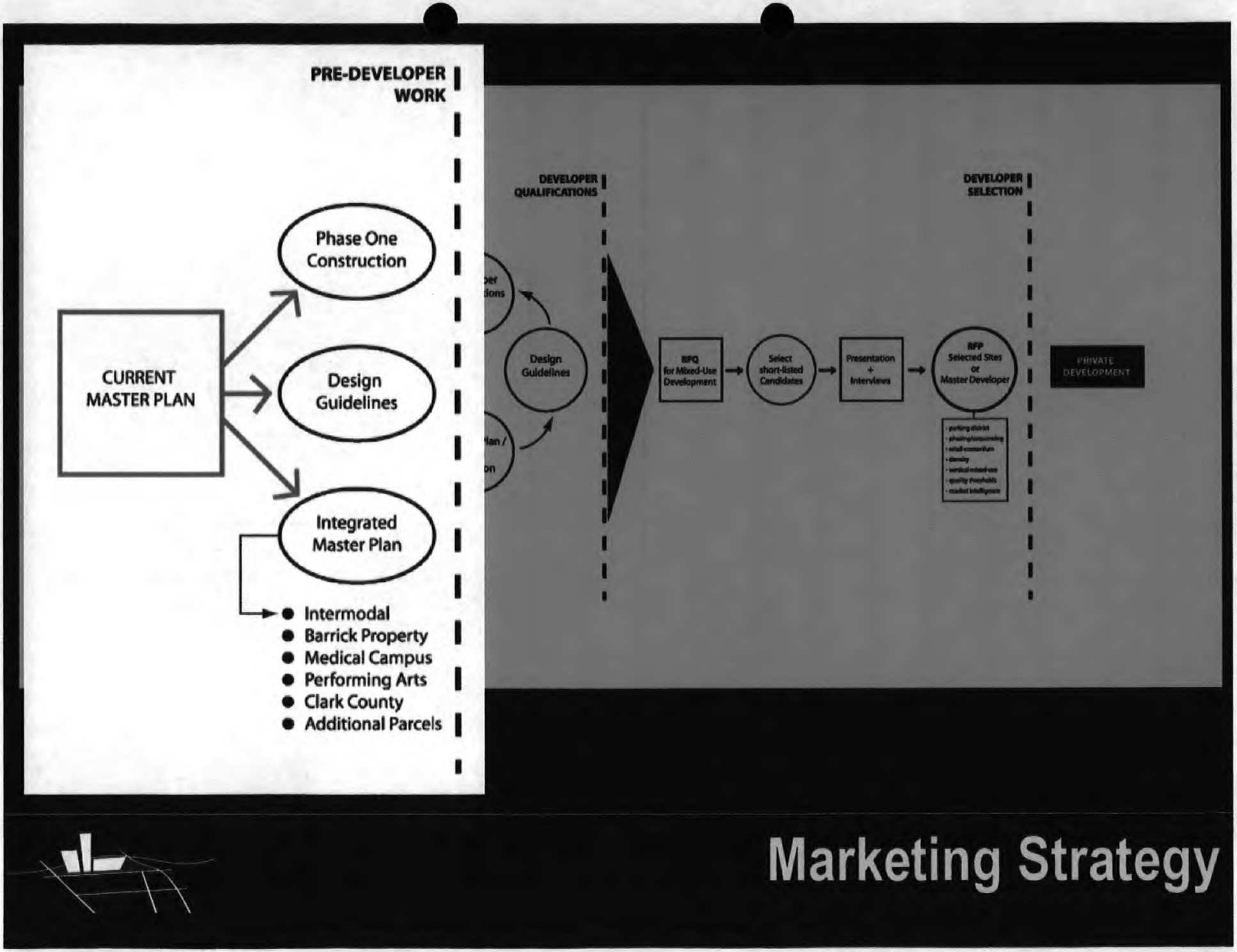
Total Phase I Design and Construction	$23.1 million
Total Design Fee - Phase One	$2.1 million



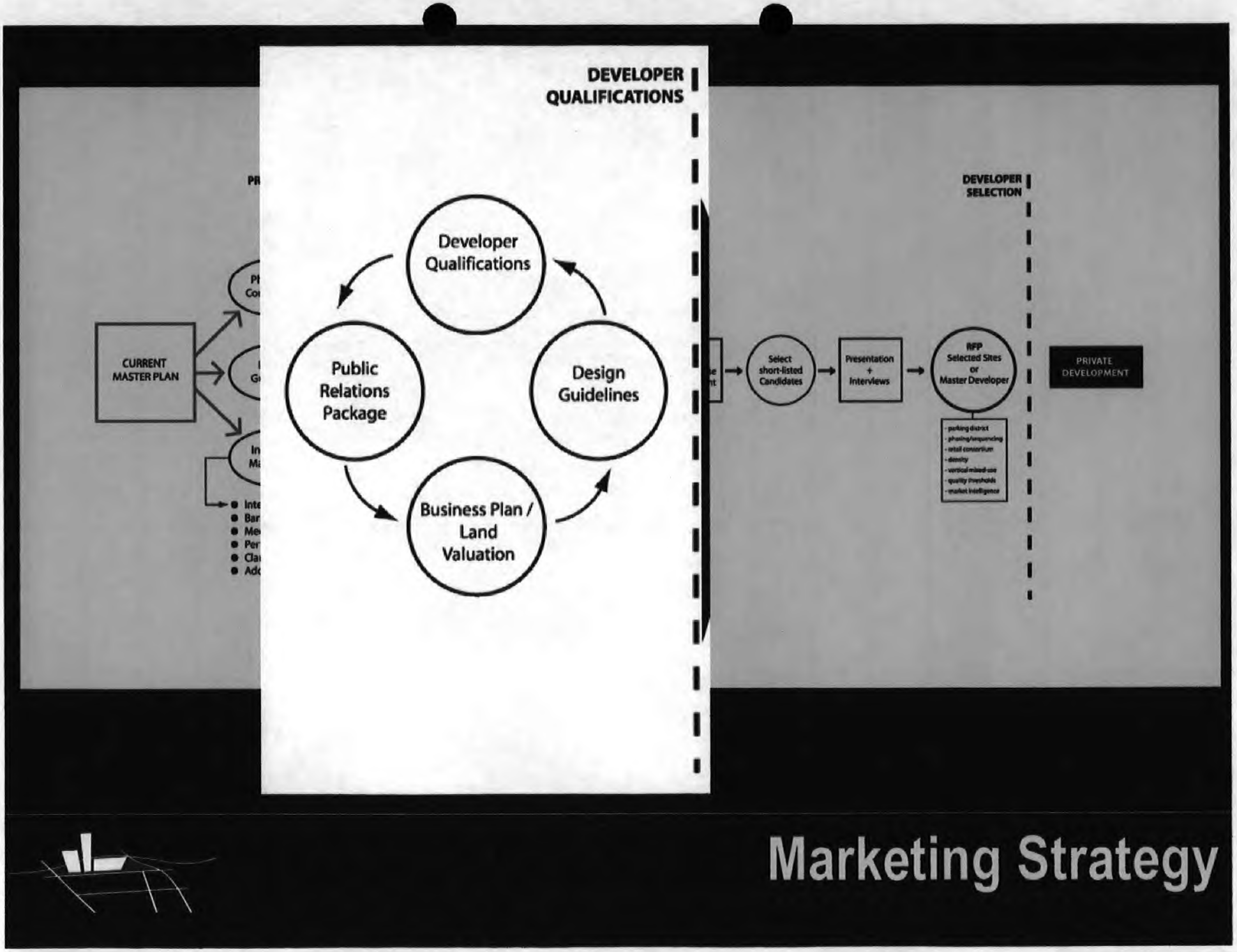
Union Park - Phase One



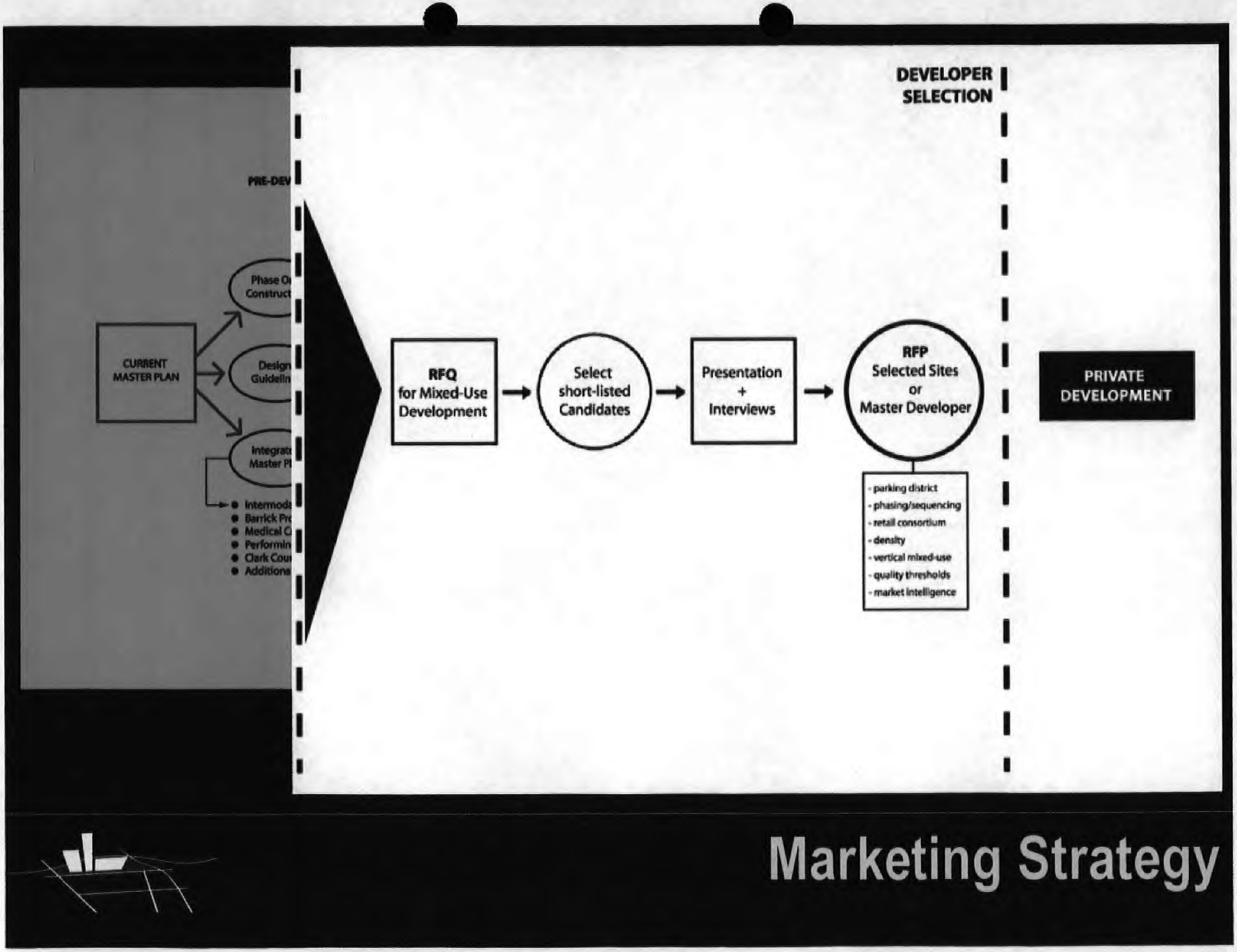
Marketing Strategy



Marketing Strategy



Marketing Strategy



Marketing Strategy


UNION
PARK
DOWNTOWN LAS VEGAS DEVELOPMENT

City of Las Vegas

Agenda Item No. 48

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
ADMINISTRATIVE:

Discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada (UCCSN) for the development of an academic medical center on 8 acres of the 61 acres, APN 139-34-110-003 - Ward 5 (Weekly)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This Memorandum of Understanding (MOU) expresses the interest and commitment of City Parkway IV and City Parkway V to convey approximately 8 acres of the 61 acres to UCCSN for the development of an academic medical center. Approximately 10 acres of adjacent property will be reserved for possible additional development of a hospital. All final terms and conditions will be set forth in a Disposition and Development Agreement to be negotiated and finalized by October 31, 2004. When the DDA is executed, UCCSN agrees to reconvey the 10 acres at the Las Vegas Tech Center previously conveyed by the City to UCCSN.

RECOMMENDATION:
It is recommended that the City support the development of an academic medical center by UCCSN and approve City Parkway IV and City Parkway V entering into this MOU.

BACKUP DOCUMENTATION:
Memorandum of Understanding

MOTION:
GOODMAN – APPROVED the amended MOU – UNANIMOUS with WEEKLY abstaining because he was not made aware of this MOU prior to this meeting

MINUTES:
NOTE: Subsequent to the meeting, a Verbatim Transcript was made a part of the Final Minutes.

CITY MANAGER SELBY reported that this item relates to land transactions the City is contemplating with the University of Nevada School of Medicine. About ten years ago, the City provided the University with ten acres of land in the Technology Park, which was intended to be the campus for a medical complex for the School of Medicine. This item includes the exploration of possibly locating the School of Medicine on the 61-acre parcel as part of the academic medical campus. The Memorandum of Understanding conveys to the Board of Regents and the School of Medicine the City's intent and willingness to go forward with such a transaction.

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MINUTES – Continued:

DEPUTY CITY ATTORNEY TERI PONTICELLO indicated that this item is to authorize City Parkway IV and V to enter into this MOU. Since the MOU was submitted, there have been changes with respect to the property and some housekeeping matters. City Parkway IV's entire interest was transferred to City Parkway V; thus, making City Parkway IV the entity holding the entire 61 acres. Also, additional changes have come about as a result of some discussions with the University Council. The City of Las Vegas will be added as an additional party to the MOU. The City of Las Vegas will be a separate party from City Parkway V. Staff will be bringing forward an item regarding this change on another agenda. She read additional changes to Sections 4-C and 4-D of the MOU: 4-C) The City and City Parkway will not make any representations and warranties and/or indemnities as to the environmental conditions of the project at this time. All representations, warranties and/or indemnities related to the environmental conditions will be subject to negotiation in the final Development and Disposition Agreement. The City and City Parkway agree to assist UCCSN with its environmental due diligence review and investigation of the center parcel. The City and City Parkway will not make representations and warranties as to the feasibility of the construction of the center. 4-D) The City and City Parkway will have no responsibility for the cost and development of the center. UCCSN, the City, and City Parkway hereby acknowledge that during the planning process and the negotiation of the DDA certain infrastructure issues will have to be agreed upon between the parties, such as 1) the requirements of City Parkway or the City to deliver infrastructure improvements to the center parcel, and 2) the amount and form of reimbursement, if any, by the University for infrastructure costs allocable to the center. UCCSN will indemnify the City and City Parkway in connection with any liabilities related to the construction operation of the center to the extent provided in the DDA.

DEPUTY CITY ATTORNEY PONTICELLO indicated there were other minor changes recommended by the University Council that are acceptable to staff. She recommended these also be incorporated into the MOU.

DR. JIM LENHARDT, Vice Dean of the School of Medicine of the University of Nevada, was present, accompanied by ATTORNEY ED GARCIA, University Counsel. ATTORNEY GARCIA thanked the Council and its staff, CITY MANAGER SELBY and his staff, and the City Attorney's Office for their cooperation in finalizing this MOU. He pointed out that the State Board of Regents has yet to consider it on its June agenda.

CITY COUNCIL MEETING OF MAY 5, 2004
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MINUTES – Continued:

DR. LENHARDT urged the Council to move forward with this project, as improved health care is very much needed in Las Vegas, along with a physician workforce to meet the exploding population of the state. He offered his full assistance in moving forward with a world-class academic medical center. MAYOR GOODMAN affirmed that DR. LENHARDT is fully committed to this project.

COUNCILMAN BROWN assured DR. LENHARDT that he is very energized about the Mayor's vision for downtown. However, he brought up an issue that he would like resolved. There seems to be some disagreement as far as the conveyance of the land referenced in the subject MOU and located at the High-Tech Park. The University of Nevada Reno (UNR) has title to that land, and, after the original conveyance, the agreement for that land was extended twice. The second extension went past the deadline and triggered action by the City. To his understanding, the City Manager's Office drafted a letter putting UNR on notice that it is in default of the extension of the second agreement. Thus, in the event that the DDA is not finalized by 10/31/2004, or, if circumstances beyond both parties' control push that date back, the issue of the status of the ten acres at the High-Tech Park is going to have to be addressed. He felt strongly that this issue should be addressed, because the MOU acknowledges that UNR'S reconveyance of that land is in default, and he does not want to be arguing this issue down the road.

DEPUTY CITY ATTORNEY PONTICELLO indicated that the property at the High-Tech Park is vested in the name of the University system, and a default notice was issued last year. This MOU has been structured so that upon the execution of the final DDA to be negotiated between the University, the City, and City Parkway, the University would reconvey that parcel.

COUNCILMAN BROWN insisted that, in his opinion, the MOU is giving new standing to the ten acres. DEPUTY CITY ATTORNEY PONTICELLO indicated that the Notice of Default is still in effect, and staff will try to resolve the reconveyance parcel. ATTORNEY GARCIA agreed that his client is not gaining additional property. This is an issue that should be addressed to everyone's satisfaction through the DDA. COUNCILMAN BROWN stressed that he does not want to be arguing over the ten acres a year from now, because that property is critically important to the expansion of the medical industry in the area.

COUNCILLMAN WEEKLY felt excited about the synergy of the 61 acres.

(10:24 – 10:38)

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made this ____ day of May, 2003, by and between the BOARD OF REGENTS of the UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA, and an instrumentality of the State of Nevada, on behalf of the University of Nevada School of Medicine("UCCSN") and CITY PARKWAY IV, INC., a Nevada non-profit corporation ("CPIV") and CITY PARKWAY V, INC, a Nevada non-profit corporation ("CPV). CPIV and CPV shall collectively be referred to as "CP". UCCSN and CP are sometimes referred to herein collectively as the "Parties."

RECITALS

WHEREAS, CP is the owner of certain real property consisting of an approximately 62-acre site located in the Parkway Center in downtown Las Vegas, Clark County, Nevada and depicted on the Project Map attached hereto as Exhibit A (the "Project");

WHEREAS, UCCSN is Nevada's public system for higher education which is desirous of developing, building and operating an academic medical center in the City of Las Vegas, Nevada (the "Center") which will benefit the residents of the City of Las Vegas and Southern Nevada and foster the growth and economic development in the City of Las Vegas and the region;

WHEREAS, CP, on behalf of the City of Las Vegas (the "City"), desires to develop the Project for the vital and best interests of the City, and the health, safety, morals and welfare of its residents which are in accord with the public purposes and provisions of applicable federal, state and local laws and requirements;

WHEREAS, the City has previously conveyed to UCCSN that certain real property described on Exhibit "B" attached hereto (the "Reconveyance Parcel") pursuant to that certain Gift Agreement between the City and UCCSN (the "Gift Agreement") and in consideration of the agreements contained herein of CP, UCCSN agrees to convey to CP, or its designee, the Reconveyance Parcel.

WHEREAS, the Parties desire to enter into this MOU to set forth the general terms and conditions which (i) CP would be willing to convey a portion of the Project to UCCSN for the development of the Center and (ii) the conveyance of the Reconveyance Parcel to CP;

WHEREAS, the City has approved City Parkway entering into this MOU and supports the development of the Center by UCCSN.

NOW, THEREFORE, in consideration of the foregoing recitals, and for

other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CP and UCCSN agree as follows:

1. COOPERATION. The Parties agree to cooperate and in good faith expeditiously to negotiate and prepare a disposition and development agreement (the "DDA") whereby (i) CP will convey a portion of the Project to UCCSN for the development of the Center and (ii) UCCSN will convey the Reconveyance Parcel to CP or its designee.

2. THE CENTER PARCEL.

(a) Subject to the terms and conditions of this MOU and those to be contained in the DDA, CP agrees to convey a portion of the Project to UCCSN for the development of the Center (the "Center Parcel"). It is anticipated that the Center Parcel will contain approximately eight (8) acres and will be located approximately in the area shown on Exhibit "C" attached hereto. The exact location and size of the Center Parcel will be determined during the negotiation of the DDA. CP and UCCSN further agree to address parking for the Center as a part of the negotiation of the DDA.

(b) CP acknowledges that in conjunction with the Center, it is ideal that a hospital be near the Center for the use of the Center in its medical education and training programs, including, without limitation, its internship programs. CP acknowledges that as part of the DDA, CP will be required to reserve approximately ten (10) acres adjacent to the Center Parcel for use as a hospital. The period of such reservation and the terms and conditions of such reservation shall be set forth in the DDA.

3. RESERVATION AND CONVEYANCE.

(a) CP agrees, subject to the terms and conditions of this MOU and those to be contained in the DDA, to reserve for a period to be agreed upon in the DDA (the "Reservation Period") the Center Parcel, as finally determined, for conveyance to UCCSN. During the Reservation Period, CP agrees that it will make no disposition of any interest in the Center Parcel to any person or entity other than UCCSN, provided that UCCSN achieves the schedule and milestones to be mutually agreed upon and set forth in a Schedule of Performance to be set forth in the DDA. The Schedule of Performance will include milestones related to the financing of the development of the Center from all projected sources. Upon UCCSN achieving the milestones by the dates set forth in such Schedule of Performance, CP agrees to convey to UCCSN, upon UCCSN's written request, good and marketable title to the Center Parcel free and clear of all liens, interests or claims of others, except those provided for in the DDA or agreed to by UCCSN. The Center shall be conveyed to UCCSN in phases pursuant to the Schedule of Performance.

(b) The Parties agree that the land constituting the Center Parcel will be conveyed to UCCSN solely in consideration of UCCSN's agreement to develop the Center Parcel as provided in the DDA and for conveyance of the Reconveyance Parcel. Upon conveyance of any phase of the Center Parcel, will undertake to develop, construct and thereafter operate the a portion of the Center on such phase of the Center Parcel consistent with an agreed schedule of development and plan of operation, all as provided in the DDA.

(c) UCCSN agrees that the deed conveying a phase of the Center Parcel to UCCSN shall contain a use restriction for the benefit of the City and CP restricting the use of the Center Parcel to an academic medical center. In addition, UCCSN agrees that the DDA will contain a provision allowing CP to reacquire any phase of the Center Parcel conveyed to UCCSN upon breach of UCCSN's obligation to commence development as provided in the DDA.

4. UCCSN'S OBLIGATIONS.

(a) UCCSN will achieve the milestones and commitments as set forth in the DDA within the time parameters set forth therein in order to provide the City and CP with reasonable assurances that UCCSN can build the Center; that the Center will further the master plan; and that the operations of the Center will constitute a public benefit. In order to facilitate the development, construction and operation of the Center within the Project, the DDA will contain milestones for the construction of infrastructure and other development of the Center Parcel by CP and the City. UCCSN and CP acknowledge that, given the status of the development of the Project, various infrastructure issues related to the Project, including, without limitation, design, cost and cost allocation, remain to be resolved. UCCSN and CP hereby acknowledge that during the planning process and the negotiation of the DDA certain infrastructure issues will have to be agreed upon between the parties such as (i) requirements on CP to deliver agreed upon infrastructure improvements to the Center Parcel; and (ii) the amount and form of reimbursement, if any, of UCCSN for infrastructure costs allocable to the Center.

(b) UCCSN agrees and acknowledges that CP is developing the Project as a master planned, mixed-use development. In connection therewith, the Project, including the Center Parcel, will be subject to covenants, conditions and restrictions governing the use of parcels within the Project, including, without limitation, (i) design guidelines and controls governing the construction of buildings and related improvements within the Project and assessments for the operation and maintenance of certain areas within the Project. UCCSN and CP mutually approve the concepts for the design of the Center as set forth in those drawings of The Master Plan dated September 17, 2003 dated. CP shall have the right to approve the final plans and specifications of the Center as it is constructed to assure compliance with such

conceptual drawings.

(c) UCCSN will acquire the Center Parcel "as-is" based on UCCSN's own investigations and inspections, including its own environmental review of the property. UCCSN will have a due diligence period in which to investigate and inspect the Center Parcel, including without limitation the conduct of environmental and geo-technical inspections. The City and CP will not make any representation or warranty as to the condition of the Project or the feasibility of the construction of the Center.

(d) City and CP will have no responsibility for the cost of development and operation of the Center. UCCSN will indemnify the City and CP in connection with any liabilities related to the construction and operation of the Center.

5. RECONVEYANCE PARCEL. UCCSN agrees that upon the joint execution of the DDA, UCCSN shall be required to convey to CP, or its designee, the Reconveyance Parcel on the terms and conditions set forth in the DDA. UCCSN agrees that nothing set forth in this MOU or the approval of this MOU by the City or CP shall in any way extinguish, modify or limit the rights of the City under the Gift Agreement, including, without limitation, the right of the City to acquire the Reconveyance Parcel pursuant to the Gift Agreement.

6. EXCLUSIVITY. CP and UCCSN recognize that it is vital to the success of the Center that a unified approach is taken with respect to the development of an academic medical center and that broad community support is generated for the Center. Accordingly, so long as this MOU and the DDA are in effect, the City and CP will deal exclusively with UCCSN with respect to development, construction and operation of an academic medical center.

7. LIMITATION OF BINDING NATURE OF MEMORANDUM. The obligations of UCCSN and CP as contemplated by this MOU are solely to negotiate in good faith to arrive at the terms of the DDA, but if the parties, after good faith negotiation, are unable to arrive at a final form of the DDA by October 31, 2004, this MOU will expire without further obligation or liability of either party. The President of CP shall have the authority to grant extensions on behalf of CP to this expiration date as the President may determine in his sole discretion. Upon the execution and delivery of the formal DDA, the terms of such agreement will supercede the obligations contained herein. UCCSN agrees that this MOU does not create any rights or interest whatsoever in the Project or the Center Parcel on the part of UCCSN and any such rights will be created only by or as set forth in the DDA.

8. EXECUTION IN COUNTERPARTS. This MOU may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute on agreement. To facilitate the

execution of this MOU, the parties may execute and exchange by telephone facsimile counterparts of the signature pages.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU on the day and year first above written.

CITY PARKWAY IV, INC.

By: _____
President

CITY PARKWAY V, INC.

By: _____
President

APPROVED AS TO FORM:

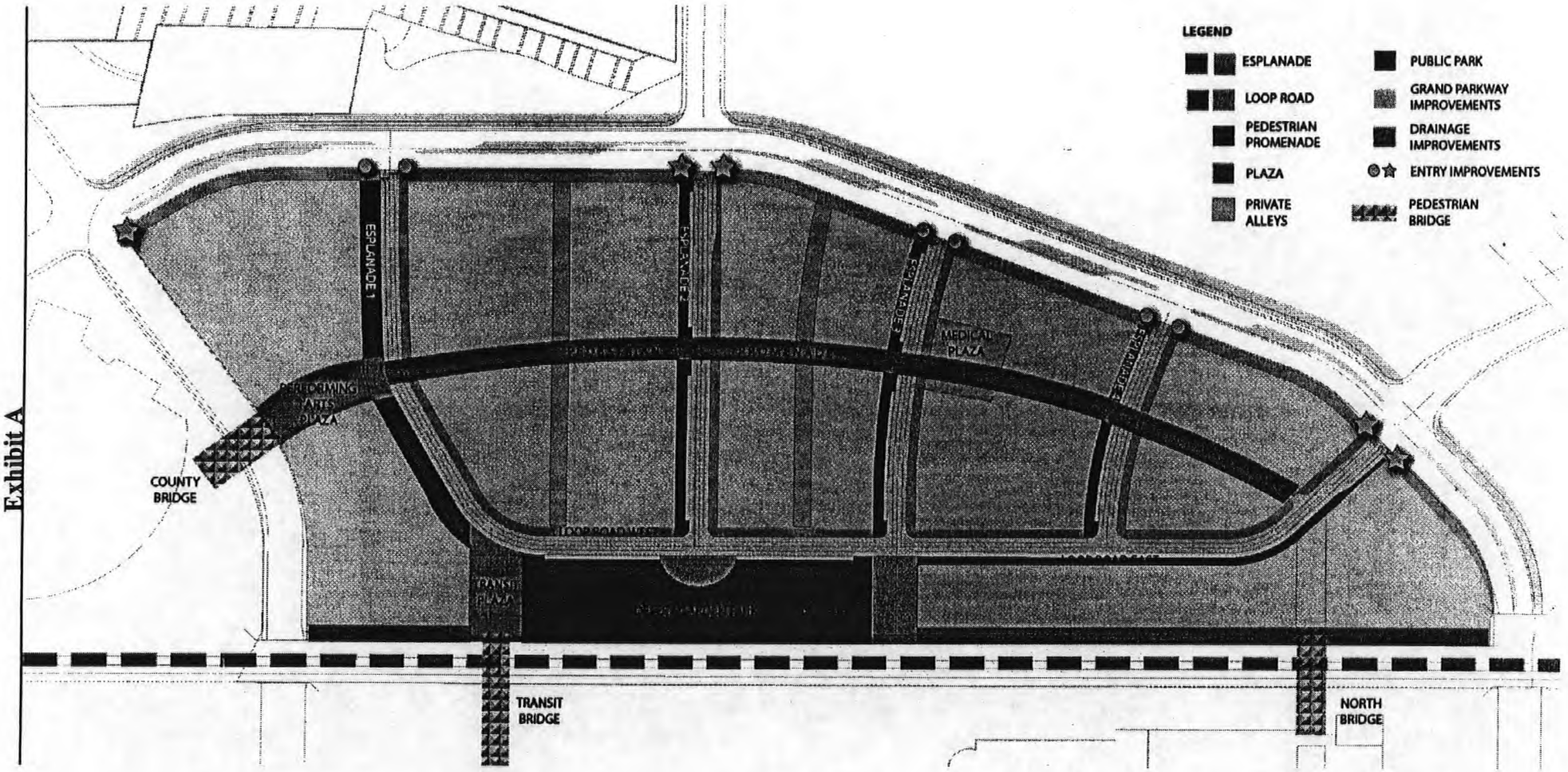
J. Pantiello 4/23/04
Date

BOARD OF REGENTS OF THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA

By: _____

Its: _____

Exhibit A



Framework Plan

Exhibit B

CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY DESIGN
LEGAL DESCRIPTION

A.P.N. 138-15-501-001 (290-590-027) Document No. 860108:00613

Vesting: CITY OF LAS VEGAS, a municipal corporation

Section: NE 1/4, SEC. 15, T20S, R60E, MDM
Street/Subdivision: LAS VEGAS TECHNOLOGY CENTER UNIT 2
10.891 AC PARCEL EAST SIDE TENAYA

Cogo File: LVTC V1 Set: 143

Requested	eb	Written	bb	Checked	rr	Proofread	rr - bb
		7-22-94		7-25-94		7-25-94
REVISED	8-18-94		bb		mwb		cmc - bb

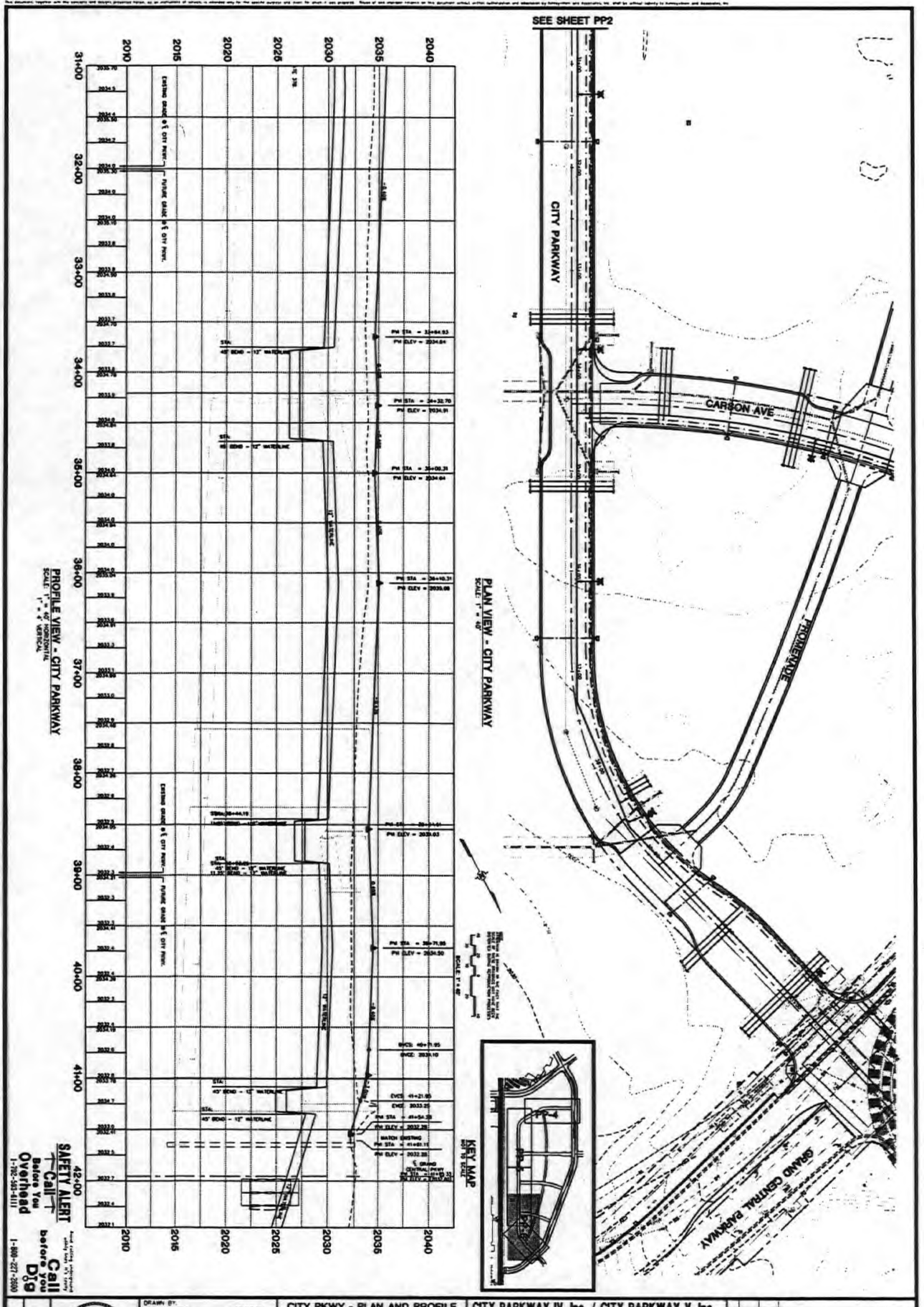
That portion of the Northeast Quarter (NE 1/4) of Section 15, Township 20 South, Range 60 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, being that portion of LOT 1, BLOCK 1 of the LAS VEGAS TECHNOLOGY CENTER UNIT 2, a Commercial Subdivision, on file in Book 62 of Plats, Page 44 of Clark County, Nevada Records, described as follows:

COMMENCING at the Southeast corner of LOT 1, BLOCK 1 of said LAS VEGAS TECHNOLOGY CENTER UNIT 2, also being a point in the Westerly Right-of-Way line of the US-95 Freeway (Project DE-0105(802)); thence along the Easterly boundary of said LOT 1, BLOCK 1 the following three (3) courses: 1) thence North 15°31'01" West a distance of 10.14 feet; 2) thence North 13°40'05" West a distance of 530.62 feet to the TRUE POINT OF BEGINNING; 3) thence continuing North 13°40'05" West a distance of 699.16 feet; thence South 70°03'34" West a distance of 823.62 feet to the Easterly Right-of-Way line of TENAYA WAY (90 feet wide) as shown on said plat of the LAS VEGAS TECHNOLOGY CENTER UNIT 2; thence along said Easterly Right-of-Way line of TENAYA WAY the following two (2) courses: 1) thence South 19°56'26" East a distance of 258.97 feet to the beginning of a tangent curve, concave Westerly and having a radius of 901.38 feet; 2) thence Southerly along said tangent curve, through a central angle of 14°48'49", an arc distance of 233.05 feet; thence radial to said curve, North 84°52'23" East a distance of 803.91 feet to the TRUE POINT OF BEGINNING.

The above described parcel of land contains an area of 10.891 acres, more or less.

RESERVING AN EASEMENT over, across and under the Easterly 10 feet of the above described parcel of land, in favor of the LAS VEGAS TECHNOLOGY CENTER OWNERS ASSOCIATION, its successors and assigns, for purposes of erecting, maintaining, removing and replacing block wall and fencing along the easterly edge of the easement area. The easement rights include the right of ingress and egress to and from said wall and fencing and the right to clear away growth and other obstacles as may be necessary for the purposes described herein.

Exhibit C


SEE SHEET PP2
CITY PARKWAY
CARSON AVE
FROMENT AVE
GRAND CENTRAL PARKWAY
PROFILE VIEW - CITY PARKWAY
PLAN VIEW - CITY PARKWAY
KEY MAP
CITY PKWY - PLAN AND PROFILE
WATERLINE AND DRY UTILITIES
STA: 31+00 - 41+95.33
100 GRAND CENTRAL PARKWAY
CITY OF LAS VEGAS, NEVADA
CITY PARKWAY IV, Inc. / CITY PARKWAY V, Inc.
400 STEWART AVE., 2ND FLOOR
LAS VEGAS, NV. 89101
(702) 229-6551
Kimley-Horn and Associates, Inc.
Engineering, Planning, and Environmental Consultants
SAFETY ALERT
Call before you Dig
1-800-227-2600

CITY COUNCIL MEETING OF
May 5, 2004

VERBATIM TRANSCRIPT – ITEM 48

Discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada (UCCSN) for the development of an academic medical center on 8 acres of the 61 acres, APN 139-34-110-003

Appearance List:
OSCAR GOODMAN, Mayor
DOUG SELBY, City Manager
TERI PONTICELLO, Deputy City Manager
ED GARCIA, Attorney, University Counsel
JIM LENHARDT, Doctor, Vice Dean of the University of Nevada School of Medicine
LARRY BROWN, Councilman
LAWRENCE WEEKLY, Councilman

(10:24 – 10:38)
1-3068

17 minutes

Typed by: Angela Crolli
Proofed by: Vicky Darling

VERBATIM TRANSCRIPT – ITEM 48

MAYOR GOODMAN

Item 48 is discussion and possible action regarding City Parkway IV and City Parkway V executing a Memorandum of Understanding with the Board of Regents of the University and Community College System of Nevada for the development of an academic medical center on 8 acres on the 61 acres.

DOUG SELBY

Mayor, this – item relates to some land transactions that we're contemplating with the University of Nevada – School of Medicine. About ten years ago the City provided the University System with 10 acres of land in our Technology Park, which was intended to be the campus for a medial complex for the School of Medicine. Today we're exploring the possibility of locating the school of medicine on the 61-acre parcel as part of the academic medical campus.

This Memorandum of Understanding is – being brought forward to, basically, convey to the Board of Regents and the School of Medicine the City's intent and willingness to go forward with such a – land transaction. Teri Ponticello's here today, as well as Dr. Lenhardt and, I guess, your – legal counsel, to discuss this item in more detail, including some amendments to the language that we've drafted.

MAYOR GOODMAN

Thank you, Doctor. Ms. Ponticello?

TERI PONTICELLO

Teri Ponticello, Deputy City Attorney. The item that's before you today is really to have the City approve City Parkway IV and V entering into this MOU. The, since – we have submitted the form of the MOU before you, there have been changes, with respect to the property. There was some housecleaning matters and City Parkway IV has now transferred its entire interest in its 56 acres into City Parkway V. So, from now on out, City Parkway V will be in, the entity that holds all of the 61 acres. City Parkway IV will not be a party to this MOU.

Additional changes have come about as a result of some discussions with the University counsel. We have decided to add the City of Las Vegas as an additional party to this MOU. The City of

Las Vegas would be a separate party from the City Parkway and we would be coming forward on another agenda with this item.

Section 4-c of the MOU, and if you can bear with me, I would like to read in some additional changes, substantive changes that we have agreed to with respect to dealing with obligations on the party, on – the property. Section 4-c, last sentence should be amended to read, the City Park, the City and City Parkway will not make any representations in warranties and/or indemnities as to the environmental conditions of the project at this time. All representations, warranties and/or indemnities related to the environmental conditions will be subject to negotiations in the final DDA. The City and City Parkway agree to assist UCCSN with its environmental due diligence review and investigation of the center parcel. The City and City Parkway will not make representations and warranties as to the feasibility of the construction of the center.

And the last item is Section 4-d shall be amended to read as follows: The City and City Parkway will have no responsibility for the cost and development of the center. UCCSN, the City and City Parkway hereby acknowledge that during the planning process and negotiation of the DDA, certain infrastructure issues will have to be agreed upon between the parties, such as, 1) the requirements of City Parkway or the City to deliver infrastructure improvements to the center parcel, and 2) the amount and form of reimbursement, if any, by the University for infrastructure costs allocable to the center. UCCSN will indemnify the City and City Parkway in connection with any liabilities related to the construction operation of the center to the extent provided in the DDA. In addition, there were other minor changes recommended by the University counsel that are acceptable to staff, and we would like to incorporate those into the MOU.

With me, as Dr. Selby said, is Dr. Lenhardt, from the University, and Ed Garcia, from Jones Vargas, who serves as the University's counsel and they're here to answer any questions.

MAYOR GOODMAN

Very good. Mr. Garcia, be happy to hear from you.

ED GARCIA

Good morning, Your Honor, and members of the Council. Once again, Ed Garcia, and with me is Dr. Jim Lenhardt, who's the Vice Dean of the School of Medicine of the University of Nevada School of Medicine. We just want to thank the Mayor and his staff, Dr. Selby and his staff, and of course, the City Attorney's office for working with us to get this Memorandum of Understanding in a form that we could present for you today.

While, of course, this has to be approved by our, the State Board of Regents, we're hopeful that we, by moving forward here today, we can get that in front of them on their June agenda.

MAYOR GOODMAN

Very good. Thank you. Dr. Lenhardt, did you want to be heard today?

JIM LENHARDT

I will make a few comments.

MAYOR GOODMAN

I'd like to hear from you, please. Please tell us your name, please, and what your position is with the – medical school.

JIM LENHARDT

Thank you, Mayor. I'm Dr. Jim Lenhardt, Vice Dean for University of Nevada School of Medicine. I really represent the – leadership for our Southern Nevada Campus. As many of you know, we are the University of Nevada, Reno. A campus was developed in Las Vegas in the 1980's. I want to energize this Council this morning to move forward with this project and in support of the academic medical center and the University of Nevada School of Medicine's participation in it.

We need a healthier Nevada. Our health care outcomes are not what they need to be. The quality of our physicians, although excellent, needs to be improved. We need to move to world-class medicine in this City, for the State of Nevada and for the residents of Las Vegas. We need to create an academic medical center that directs itself at those health care outcomes that

adversely affect our entire population. And furthermore, we need to have a physician work force that will meet the exploding population of our State. Whatever I can do over the next many months to encourage you to support what we need to do to make this move forward and to create a truly unique and world class academic medical center, I'd love to do so. And I'm available at the University of Nevada School of Medicine here in Las Vegas at 2040 West Charleston, and I thank your for your time.

MAYOR GOODMAN

Thank you very much, Doctor. He's a gentleman who will be doing a lot of business with this Council, and he's a, very, very committed to that proposition. All right. Are there any questions at this time? Yes, Councilman Brown?

COUNCILMAN BROWN

Thank you, Your Honor, and thank you, Dr. Lenhardt. I – am energized as far as your plans and the City's plans, the Mayor's vision for downtown. But there – seems to be an issue that's still on the table that I personally want resolved. And I don't know if it's on a separate track, but it certainly has an impact. The land that is referenced in the – MOU before us, that's located in the High-Tech Park just south of Mountain View Hospital, there seems to be some disagreement, as far as the original conveyance. Everybody's in agreement that UNR does have title to that land.

TERI PONTICELLO

Yes, they do.

COUNCILMAN BROWN

And we, although I don't have the dates in front of me, we have upon the original conveyance to them extended on two occasions that agreement, but the second – extension did go past the – deadline, and then that would have triggered something. And again, my understanding is, there is, as of today, there's a letter from the Manager's Office, putting UNR on notice that they are, and I don't know the exact language, but they are in default of the extension of the second agreement. Now that, I don't know the negotiations that have been going on, but that is

apparently part of the discussion as to what we're looking at today. My question, and – let me again reiterate that I fully support the intent here today and the Mayor's vision for downtown, but in the event that something doesn't happen by October 31st, 2004 or if circumstances beyond the control of UNR or the City push that date back, we are going to, again, have to address the issue at hand, and that is, what is the status of the 10-acres in the High-Tech Park. There's, that whole issue, from my perspective, is a little bit different from what I've been told today and in briefings. I – feel very strongly that that needs to be addressed one way or another be, and essentially, the MOU before us is acknowledging that they're reconveying land that we have put them on notice that they're in default of. And if that is part of the negotiation that's going on, I certainly need to – be informed.

But the bottom line is, if, again, something happens to push that date out, I don't want to be here a year from now still arguing about the ownership of that land in the High-Tech Park. And I think that, hopefully, that will get addressed one way or another, because there seems to be disagreement between the University and the City, as far as the standing of that 10 acres and who has title to it or who's in default or who's not in default. So, I – state that today because if it's not resolved or I – need to be briefed explaining what the status is, then I'll revisit this in two weeks or a month and I'll – keep revisiting until someone gives me the answers.

TERI PONTICELLO

Councilman Brown, to the best of my knowledge, that is, the property is vested in the name of the University system. I'm not exactly sure if it's in the name of UNR. And yes, there was a default notice that was issued last year, and it still is out there. The – structure of this MOU and how we intend to go forward is that upon the execution of the final DDA that will be negotiated between the University and the City and City Parkway, which the deadline is October 31st, upon that execution the University would convey that reconveyance parcel, as we titling it, the ten acres that's in the Tech Center. So, that's – where it stands right now. If – that, something should go awry during this interim period, you'd, you would certainly be the first to know.

COUNCILMAN BROWN

Well, I'll defer to the attorneys in the room, but, and Mr. Garcia, of course, but it seems to me we're giving new status or new standing to this 10 acres in the MOU that outside the MOU doesn't have that standing. This indicates that they're going to convey land that they have. Outside of the MOU, at least my understanding is, they have title to land that is now in default.

TERI PONTICELLO

We, as it stands right now, the notice of default is still out there, and we have not waived it; we have not done anything to take it back. It's, we're going in this with the assumption of going forward to trying to resolve the reconveyance parcel. So, Mr. Garcia, I don't know if you have anything you want to add?

ED GARCIA

I think that's my understanding. I mean, whether you're gaining, we're gaining any additional rights to the property is not how I would construe this. I think that is an issue that hopefully will be addressed to everybody's satisfaction in this process through the Development Agreement, and if not, obviously it's something that we'll have to revisit.

COUNCILMAN BROWN

And being optimistic, by October 31st everybody walks away a winner, and the land is conveyed back to the City. But let the record show today that, if, come October 31st, something doesn't allow this MOU to move forward, then that land is –

MAYOR GOODMAN

Still in default.

COUNCILMAN BROWN

And I don't want to be here a year from now or another five years from now arguing over that land because that land is becoming critically important to the expansion of the medical industry out there, be it UNR or the hospital or medical offices. It, it's a critical piece and, I mean, we've

– been out there ten or eleven years, and I just don't want anybody to be surprised in six months or a year that we're still addressing this issue. But with that, Your Honor, I – appreciate that being put on the record.

MAYOR GOODMAN

All right. Thank you. Any other questions or comments? All right, Councilman Weekly?

COUNCILMAN WEEKLY

Yes, your Honor, thank you very much. The synergy of the 61 acres, in my opinion, is really exciting, and I thoroughly appreciate all the due diligence you've put in, as far as trying to really get this – wheel rolling. What I'm going to do is, I'm actually going to abstain from this vote. And I say I'm going to abstain because I am really not in the loop of this Memorandum of Understanding. Never heard of it. First time hearing about it. So, I won't be participating in this vote.

MAYOR GOODMAN

All right.

COUNCILMAN WEEKLY

So, I would put it back over to you.

MAYOR GOODMAN

All right, thank you. All right. I would move to follow staff's recommendation. Let's vote, please. Post. Motion carries. Thank you. **(Motion carried unanimously with WEEKLY abstaining because he was not made aware of this MOU prior to this meeting)**

ED GARCIA

Thank you.

MAYOR GOODMAN

Thank you.

(END OF DISCUSSION)

/ac;vwd

City of Las Vegas

Agenda Item No. 49

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: BUSINESS DEVELOPMENT
DIRECTOR: CHRIS KNIGHT, ACTING [ ] CONSENT [X] DISCUSSION

SUBJECT:
Report on the status of current Office of Business Development Projects - All Wards

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:
To update City Council on the status of current Office of Business Development projects.

RECOMMENDATION:
Report only; no action required

BACKUP DOCUMENTATION:
1. Submitted at Council meeting: fax cover sheet with attached letter dated 5/3/2004 from David Smith and lease update for Edmond Town Center
2. Submitted after Council meeting: hard copy of PowerPoint

MOTION:
None required. A report was given.

MINUTES:
CHRIS KNIGHT, Acting Director, Office of Business Development, introduced STEVE VAN GORP, Redevelopment Officer, who gave a report using a PowerPoint presentation, which is made a part of the final minutes, on the status of many of the contracted projects in the downtown area. MR. KNIGHT noted that this is the first of the Council requested monthly reports.

Las Vegas Premium Outlets – project had a short employment plan within an Owners Participation Agreement with the Agency. Compliance with prevailing wage requirements was met. The entire TIF arrangement totaled less than $3.4 million over a ten-year life of the deal. Staff is currently working with Chelsea to issue them the first refund check, which means they in turn will pay their first tax bill to the City. MAYOR GOODMAN questioned the amount of the first refund check to be turned over to the City. MR. KNIGHT answered that on 2/27/2004 Chelsea paid $141,072.66. At this point there has not been an increment rebate. Once the justification is received, the amount projected is $57,839.79.

World Market Center – recently restructured its development team to include its new partner, Related Companies, for which an estoppel agreement will be drafted. World Market Center has an owner participation agreement worth about $41 million. The employment plan was expanded by amendment from short form to long form with the help of the community and strive-achieve goals were established set for minority, women, and disabled veterans. The project has currently achieved

CITY COUNCIL MEETING OF MAY 5, 2004
Business Development
Item 49 – Report on the status of current Office of Business Development Projects – All Wards

MINUTES – Continued:

4% for these categories, and it may reach 7% if the contractor implements all its strategies. Progress is monitored monthly with full reporting and weekly construction progress calls. Ostensibly, $191 million in financing has been locked for the first tower. It is anticipated that the first three towers and convention space will generate about 10,000 jobs on-site.

IRS Regional Headquarters – third TIF project with the City. The developer was requested to begin to supply quarterly reports in fulfillment of its employment plan with the City. Pre-planning for the second speculative office tower is progressing well and pre-leasing is going strong. It is possible the tower could reach ten stories with structured parking on-site.

L'Octaine – project will include a 4,000 square-foot retail shop at ground level with parking under the building.

PePe's Tacos – this is the second location for this business and the monies contributed is less than 3% of the total cost of the project. ADA standards will be met. Since the Agency contributed less than $100,000 there is no requirement for an employment plan or prevailing wage.

Fingerprint Building – purchased by the City from Clark County to make it available for immediate redevelopment to attract a number of nightclubs and urban mixed uses.

Edmond Town Center – developer has been securing leases for new shops, with the goal of reaching a sufficient number of secured leases to finalize loan commitments to build the project. A report from the developer detailing the current leasing strategy was submitted.

CenterStaging – staff believes the revised contracts will be completed for Council's review and approval within 45 to 60 days.

RFP's – At Third and Bonneville an entire block assembled to dense urban, mixed-use development. Proposals were received, varying from 44 low-rise, high-end lofts to more than 600 condominiums in two twin towers. Staff is prepared to make a recommendation at the 5/19/2004 Council meeting. Staff proposes to enter into an exclusive negotiating agreement with the selected development team. Staff is seeking support to issue RFP's for the parcel known as the Bulldog Site in order to develop dense, urban, mixed-uses. This parcel is ideal for a law office building, condominiums, or non-gaming executive hotels.

(10:38 – 10:50)

NEW MARKETS, LLC

400 Perimeter Center Terrace, N.E., Suite 900
Atlanta, GA 30346

FAX COVER SHEET

TO:	Bill Arent
FAX:	(702)385-3128
DATE:	May 3, 2004
FROM:	David R. Smith, Chief Investment Officer
SENDER'S TEL.	770/522-0239
SENDER'S FAX	770/393-9143
PAGES:	3 including Cover

Message:

Please deliver promptly to the addressee shown above.

This communication is confidential and is intended to be privileged. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and destroy the original message.

Submitted at City Council
Date 5/5/04 Item 49

NEW MARKETS, LLC
David R. Smith, Chief Investment Officer
400 Perimeter Center Terrace, N.E., Suite 900
Atlanta, GA 30346
T. (770)522-0239
F. (770)393-9143

VIA FACSIMILE

May 3, 2004

Mr. Bill Arent
Office of Business Development
400 Stewart Avenue
Las Vegas, NV 89101

Re: Disposition and Development Agreement between the City of Las Vegas Redevelopment Agency and Edmond Town Center, LLC, as Amended September 3, 2003 (the "DDA")

Gentlemen:

On behalf of Edmond Town Center, LLC (the "Developer"), I hereby submit the accompanying leasing update with respect to the Property. Please feel free to call me if you have any questions.

Sincerely,

STRICTLY CONFIDENTIAL – PROPRIETARY INFORMATION

May 3, 2004 Lease Update for Edmond Town Center

Tenant	Parcel A - SF	Parcel B – SF	Total SF	Status
Chatham Beauty		7,500	7,500	Lease Executed
Studio One Barber		1,050	1,050	Lease Executed
Wells Fargo Bank	1,812		1,812	Lease Executed
Papageorgio's Smoke Shop		1,200	1,200	Lease Executed
Footlocker		2,400	2,400	Lease Executed
Kimberly's Nail Salon		1,200	1,200	Lease Executed
Super .99 Cent Store		10,000	10,000	Lease Executed
Leases Executed	**1,812**	**23,350**	**25,162**	
CPA & Tax Prep.		1,200	1,200	LOI Exec./Lease under Neg.
Non-bank Financial Svc.		3,000	3,000	LOI Exec./Lease under Neg.
Restaurant (back-up for15,000 SF food court)		*5,000*	*5,000*	*LOI Exec./Lease under Neg.*
Dry Cleaners	1,200		1,200	LOI Exec./Lease under Neg.
Apparel		8,000	8,000	LOI Exec./Lease under Neg.
LOI Exec./ Lease Under Negotiation	**1,200**	**12,200**	**13,400**	
Discount Furniture		8,000	8,000	LOI under Negotiation
Medical Center I		3,000	3,000	LOI under Negotiation
Individual Tax Prep		1,200	1,200	LOI under Negotiation
Medical *(back up)*		*5,000*	*5,000*	LOI under Negotiation
Women's Apparel		7,000	7,000	LOI under Negotiation
Florist		650	650	LOI under Negotiation
Dry Goods *(back up)*		*10,000*	*10,000*	LOI under Negotiation
Menswear		8,000	8,000	LOI under Negotiation
County Government		3,500	3,500	LOI under Negotiation
Plus-Size Women's Boutique		1,500	1,500	LOI Under Negotiation
LOIs Under Neg. (net)		**32,850**	**32,850**	
NET EXCL. PADS	**3,012**	**68,900**	**71,412**	
Bank			3,500	LOI Exec./Lease under Neg.
Pad LOIs Signed			**5,000**	
Game Rentals/Sales			1,500	LOI Under Negotiation
Sandwich Shop			1,400	LOI Under Negotiation
Food Court			15,000	LOI Under Negotiation
PAD LOIs Under Neg.			**17,900**	
NET INC. PADS	**3,012**	**68,900**	**94,312**	

Target tenants/Pipeline:

Laundry	3,000	Pursuing three Laundry tenants
Games II	*1,500*	*Back-up for Games I above*
Video	6,000	Talks to resume when Dry Goods & Apparel LOIs are signed
Electronics	2,600	Talks to resume when Dry Goods & Apparel LOIs are signed
Credit Union	1,500	Current lease expires 5/30. Evaluating relocation to ETC.
Total	**18,300**	

Office of Business Development
Las Vegas Redevelopment Agency

Monthly Update on Contracted Projects

May 5, 2004

5/5/04 Mtg. #19

Las Vegas Premium Outlets

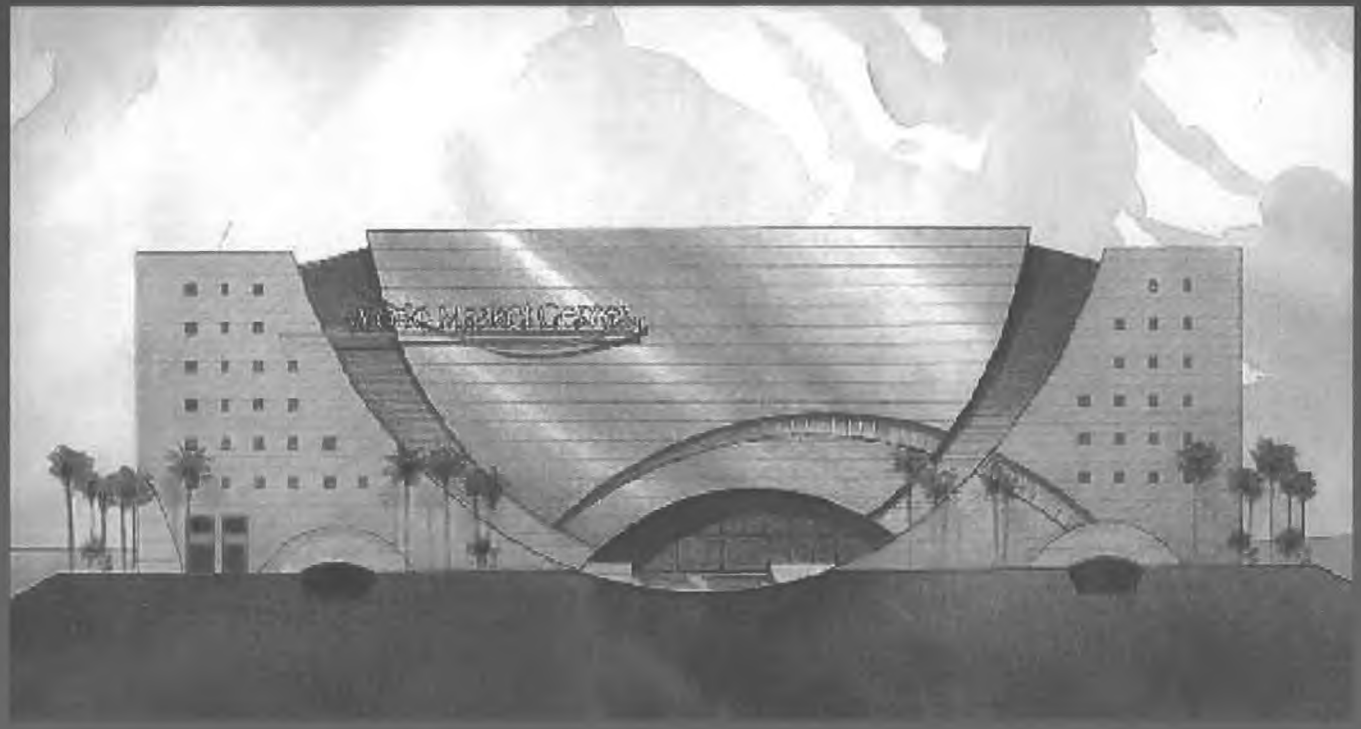
SWC Grand Central Parkway & Bonneville



- ✓ RDA's 1st TIF Deal
- ✓ Opened 8/8/03
- ✓ Sales very strong
- ✓ 1M/mo+ foot traffic
- ✓ 1 pad site in due diligence, with 1 site available

World Market Center

NWC Grand Central Parkway & Bonneville



- Phase I Tower, 1.3M SF, under construction
- Opens July 2005 to first trade show

World Market Center

NWC Grand Central Parkway & Bonneville



- RDA's 2nd TIF Agreement
- Future phases may grow in size / pace of construction may increase

IRS Regional Headquarters

F Street & Ogden Underpass



- ✓ 4-story Class A offices
- ✓ 90,000 square feet-Phase I
- ✓ 336 employees, 500 - 600 daily visitors

IRS Regional Headquarters

F Street & Ogden Underpass



- ✓ RDA's 3rd TIF Deal
- ✓ Phase I - under construction
- ✓ Optional Phase II – 100,000+ SF

L'Octaine

Las Vegas Blvd. & Gass Ave.



- Mixed Use - Retail & Mixed Income Rental Housing
- 51-units - Studios to Townhouses

L'Octaine

Las Vegas Blvd. & Gass Ave.



- Once delayed, now in construction
- RDA contributed development parcel
- Tax Credits require 60 / 40 affordability

Pepe's Tacos

2490 Fremont Street



- ✓Re-use of vacant building in RDA Area
- ✓Agency contributing $21,000 to site work
- ✓Owner acquired with private financing
- ✓Major interior redo

Fingerprint Building

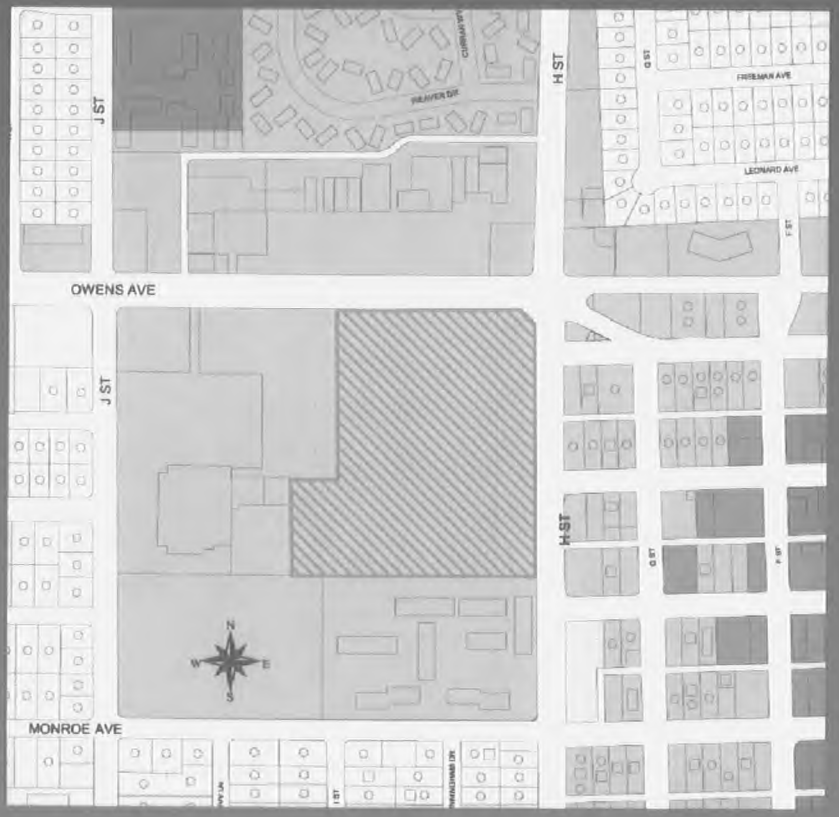
601 Fremont Blvd.



- ✓Heart of Downtown Entertainment Overlay District
- ✓Council approved ENA on March 17
- ✓Staff currently negotiating reuse agreement

Edmond Town Center

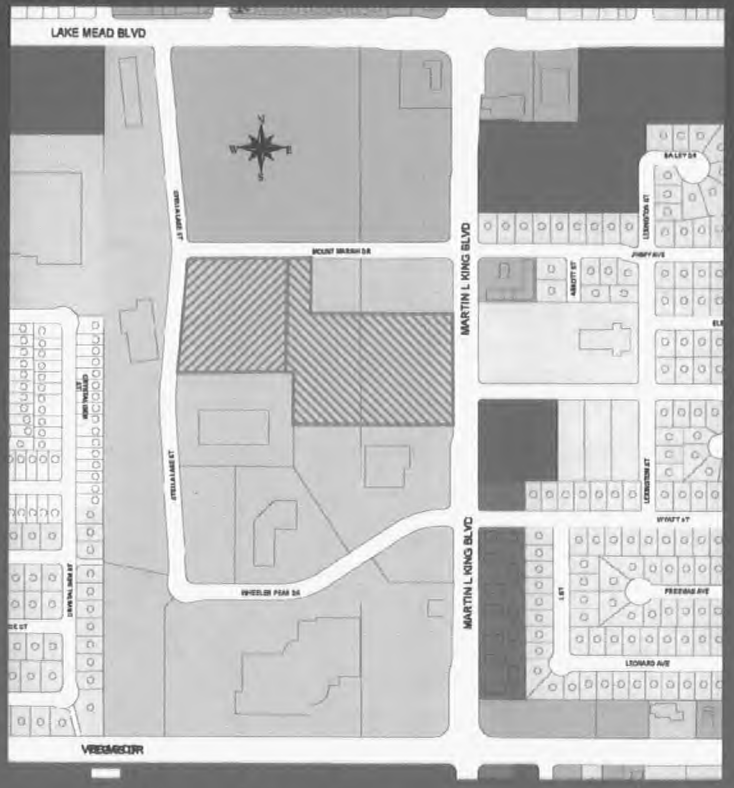
Owens Ave. & H Street



- ✓ 85,000 sq. ft retail
- ✓ Construction required to resume by July 7, 2004
- ✓ Construction required to be completed by July 7, 2005

CenterStaging

Mt. Mariah Ave. & MLK Blvd.



- ✓ 170,000 sq ft of studio space in 2 phases
- ✓ Music and television production support company
- ✓ State tax incentives approval on 4/14
- ✓ Contract changes -new financing for project

Office District Parking I, Inc.

3rd St. & Bonneville Ave.

- ✓RFP issued to 185 developers
- ✓7 proposals received
- ✓Staff review committee to make recommendation to Council via CMO



"Bulldog Site"

Las Vegas Blvd. & Clark Ave.



- ✓ Staff propose RFP to solicit dense, urban, mixed-use development
- ✓ Site next to Federal Courthouse and 5th Street School

Office of Business Development

Las Vegas Redevelopment Agency

Monthly Update on Contracted Projects

May 5, 2004

City of Las Vegas

Agenda Item No. 50

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from April 21, 2004. Charles H. Lloyd, 301 Orland Street #25, Las Vegas, Nevada 89108

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
None

MOTION:
REESE – STRIKE – UNANIMOUS with Ward 2 seat vacant

MINUTES:
The appellant was not present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), indicated that Metro handled this matter administratively and, therefore, should be stricken.

(10:50 – 10:51)

City of Las Vegas

Agenda Item No. 51

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Approved 11/5/2003 subject to six-month review: Melinda (Mindy) Lou George, 6409 1/2 Alisha Circle, Las Vegas, Nevada 89130

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
None

MOTION:
REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:
There was no discussion.

(9:28 – 9:30)

City of Las Vegas

Agenda Item No. 52

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Tamara Carrera, 555 East Silverado Ranch, Building #1062, Las Vegas, Nevada 89123

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:
REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:
There was no discussion.

(9:28 – 9:30)

RECEIVED
CITY CLERK
2004 APR 13 P 3:11

April 13, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Tamara Carrera

Tamara Carrera
555 E. Silverado Ranch, Building #1062
Las Vegas, NV 89123

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
TTE B. McDONALD
RENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

April 13, 2004

Tamara Carrera
555 East Silverado Ranch, Building #1062
Las Vegas, NV 89123

Re: **WORK CARD APPEAL**

Dear Ms. Carrera:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Angela Crolli

ANGELA CROLLI
DEPUTY CITY CLERK II

/ac

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

City of Las Vegas

Agenda Item No. 53

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Tina P. Morton, 305 Bonanza Way, Las Vegas, NV 89101

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:
REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:
There was no discussion.

(9:28 – 9:30)
1-768

RECEIVED
CITY CLERK
2004 APR 15 A 8:52

April 15, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Tina P. Morton

Tina P. Morton
305 Bonanza Way
Las Vegas, NV 89101

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
[illegible]TTE B. McDONALD
[illegible]RENCE WEEKLY
[illegible]CHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

April 15, 2004

Tina P. Morton
305 Bonanza Way
Las Vegas, NV 89101

Re: **WORK CARD APPEAL**

Dear Ms. Morton:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Deeny Araujo

DEENY ARAUJO
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
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City of Las Vegas

Agenda Item No. 54

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Caren Lynn Lopez, 4421 W. Washington Avenue, Las Vegas, NV 89107

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:
REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:
There was no discussion.

(9:28 – 9:30)
1-768

RECEIVED
CITY CLERK
2004 APR 15 P 1:53

April 15, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Caren Lynn Lopez
4421 Washington Avenue
Las Vegas, NV 89107

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
TTE B. McDONALD
RENCE WEEKLY
ICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

April 15, 2004

Caren Lynn Lopez
4421 W. Washington Avenue
Las Vegas, NV 89107

Re: **WORK CARD APPEAL**

Dear Ms. Lopez:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Angela Crolli

AANGELA CROLLI
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
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City of Las Vegas

Agenda Item No. 55

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action on Appeal of Work Card Denial: Keith L. Brooks, 825 Camden Lane Court, North Las Vegas, NV 89030

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:
1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Letter of support from Dr. Shelia Thompson, Community College of Southern Nevada

MOTION:
REESE – Motion to bring forward and STRIKE Item 51, Accept WITHDRAWAL of Item 52, and Hold in ABEYANCE Items 53, 54, and 55 to 5/19/2004

MINUTES:
There was no discussion.

(9:28 – 9:30)

RECEIVED
CITY CLERK

2004 APR 22 A 11:37

April 22, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Keith Brooks

Keith L. Brooks
825 Camden Lane Ct.
North Las Vegas, NV 89030

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
ICHAEL MACK
NET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

April 22, 2004

Keith L. Brooks
825 Camden Lane Ct.
North Las Vegas, NV 89030

Re: **WORK CARD APPEAL**

Dear Mr. Brooks:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, **it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Doreen Araujo

DOREEN ARAUJO
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

COMMUNITY COLLEGE SOUTHERN NEVADA

DIRECTOR OF STUDENT ACTIVITIES
DR. SHELIA THOMPSON
CHEYENNE CAMPUS
3200 EAST CHEYENNE AVENUE – C1C
NORTH LAS VEGAS, NEVADA 89030-4296
PHONE (702) 651-4978 — FAX (702) 651-4851

April 26, 2004

Ms. Doreen Araujo
Deputy City Clerk II.
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 APR 27 P 2:12

Dear Ms. Araujo:

The purpose of this letter is to support Mr. Keith L. Brooks in his efforts to receive his "Work Card" from the City Council of Las Vegas. I have served as Faculty Advisor to Mr. Brooks for two consecutive academic years during his tenure on Community College of Southern Nevada Student Government. Mr. Brooks is an upstanding Student Government Senator who possesses a reputable work ethic. In addition, Mr. Brooks is a loyal and trustworthy student.

In previous years, Mr. Brooks had a few misfortunate legal set backs; however, Mr. Brooks has opted to move forward with his life in spite of past circumstances: 1) he shall complete his AA Degree; 2) he has successfully served on the Student Government Senate; 3) he works as a part-time employee of the Community College; and 4) he is a family oriented man.

Mr. Keith L. Brooks has decided to become a contributor to society and has demonstrated his willingness; on May 14, 2004. Keith L. Brooks will graduate from the Community College of Southern Nevada. He will have earned his Associate of Arts Degree in Counseling.

Finally, statistics have proven that an individual with post high education credentials develop into sound, productive, and civic-minded citizens. I appreciate the Las Vegas City Council's approval on behalf of Mr. Keith L. Brooks receiving a "work card."

Respectfully,

Shelia Thompson

Dr. Shelia Thompson

City of Las Vegas

Agenda Item No. 56

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE & BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
Discussion and possible action on project funding requests for fiscal year 2005 Capital Improvement Plan

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:** Budget and Finance
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
At the April 20 Budget Workshop, the Council gave direction to allocate an additional $59,920,000 in funding to the fiscal year 2005 Capital Improvement Plan (CIP), including the issuance of $20,000,000 in new park bonds. This produced a $6,565,000 funding shortfall after consideration of the new bonds. At the Budget Workshop, Council directed staff to work towards a solution to the funding shortfall and report back at the May 5 Council Meeting. Staff will present options to the Council and request guidance toward the Final Budget submission.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
Capital Project Funding Allocation Worksheet - April 20 Budget Workshop

MOTION:
BROWN – Motion to STRIKE – UNANIMOUS with Ward 2 seat vacant

MINUTES:
MARK VINCENT, Director, Finance and Business Services, was present. COUNCILMAN BROWN interjected that, in a briefing the previous day, he requested additional information regarding the capital program from MR. VINCENT that could make this meeting lengthy. Therefore, he requested this matter be heard at the 5/18/2004 Special City Council meeting. MAYOR GOODMAN suggested striking this item.

NOTE: COUNCILMAN MACK requested individual budgets for each ward be presented to each of the Council members prior to the Special meeting, because he has been pressing for performance based budgeting.

NOTE: MAYOR GOODMAN directed City Clerk Ronemus to place this matter on the agenda for the 5/11/2004 Special City Council meeting as the last item for discussion.

(10:51 – 10:53)

CAPITAL PROJECT FUNDING ALLOCATION WORKSHEET

New	Project	Ward	Priority	Funding Needed	Unrestricted Funding	Restricted Funding			
						RCT	CDBG	Other	
	CITY FACILITIES/FIRE/DETENTION								
	Culinary Remodeling and Equipment		1	1,000,000	1,000,000				
N	Fire & Rescue Regional Drivers Training Course		2	3,000,000	300,000				
N	Internal Affairs Division Modular		1	145,000	145,000				
	ROAD/FLOOD/TRAFFIC								
	Electrical Bonding/Grounding		1	155,000	155,000				
N	Arts District Street Light Upgrade		3	2,800,000					
N	Bonneville/Clark One-way Couplet Landscaping		3	9,177,158					
N	Emergency Vehicle Preemption System		1	250,000	250,000				
N	Fremont Street Landscaping		2	3,000,000					
N	Sidewalk Replacement Program		1	500,000	500,000				
N	St Louis Ave Beautification		1	1,500,000	1,500,000				
	PARKS & RECREATION								
	Alexander/Hualapai Park - Phase I	4	1	15,000,000	14,400,000	600,000			
	Centennial Hills Leisure Center Complex	6	1	26,000,000	6,000,000			20,000,000	
	Doolittle Community Center & Park	5	1	250,000		250,000			
	Ed Fountain Park - Phase II	5	1	250,000		250,000			
	Freedom Park Pool & Bathouse	3	1	300,000	300,000				
	Harmony Park	1	1	150,000		150,000			
	Lorenzi Park Upgrades	5	1	260,000	260,000				
	Mountain Ridge Park - Phase IV	6	1	1,895,000		1,895,000			
	Tenaya Neighborhood Park	2	1	405,000		405,000			
	Vocational High School Sports Complex	6	2	23,115,000		1,305,000			Design Only
	Washington/Buffalo Park - Phase I	4	1	3,800,000	3,800,000				
	Washington/Buffalo Park - Phase II	4	3	20,325,000					
N	Artificial Turf Installation "Pilot Program"		2	1,600,000	1,000,000				
N	Chuck Minker Racquetball Court Conversions	3	1	205,000	205,000				
N	East Las Vegas Community Center Marquee	3	2	60,000					
N	El Campo Grande/Bradley Park	6	1	1,500,000		1,500,000			
N	Fort Apache/Elkhorn Park	6	1	1,600,000		1,600,000			
N	Freedom Park Master Plan	3	1	892,000	750,000				
N	Garside Pool and Bathhouse	1	2	2,270,000					
N	Gilmore Cliff Shadows Trailhead & Park	4	1	7,005,428				1,000,000	SNPLMA
N	Iron Mountain Fort Apache Park	6	2	5,000,000		700,000			
N	Johnson Community School Expansion	2	2	425,000					
N	Las Vegas Senior Center Parking Lot	5	1	200,000			200,000		
N	Lorenzi Park Tennis Complex	5	2	1,750,000					
N	Natural History Museum Retrofit	5	3	1,750,000					
N	Pavilion Center Pool Lighting	2	2	100,000					
N	Reed Whipple Cultural Center Marquee	5	2	50,000					
N	Sky Ridge Park Security Lighting	4	2	250,000					
N	Stupak Community Center Demolish and Rebuild	1	2	6,700,000	700,000				
N	*Centennial Hills Park*	6	3	16,200,000					
N	*Equestrian Park*	6	2	55,000,000					
	Post Office Building Renovation	5	2	9,500,000					
	Total Needs			225,334,586	31,265,000	8,655,000	200,000	21,000,000	
	Funding Available			33,750,000	24,700,000	9,050,000	0		
	Net			(27,370,000)	(6,565,000)	395,000	(200,000)	(21,000,000)	

City of Las Vegas

Agenda Item No. 57

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, From: Bells Market Partnership, Caroline Yousif, Ptnr, 50%, Jamal Jeberaeel, Ptnr, 50%, To: Sabah Shoshani, dba Bells Market, 720 West Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Weekly)

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Sabah Shoshani

MOTION:

WEEKLY – APPROVED subject to a six-month (11/3/2004) review – UNANIMOUS with Ward 2 seat vacant

MINUTES:

The applicant was present, accompanied by ATTORNEY DAVE CROSBY.

JIM DiFIORE, Manager, Business Services, stated that at the previous Council meeting he expressed concerns with the operation of this business, as well as the applicant not having current health and alcohol awareness cards. However, the applicant has since then proved that he obtained those cards. MR. DiFIORE recommended approval of the temporary license, subject to a six-month review.

ATTORNEY CROSBY indicated that his client is willing to cooperate with the City in terms of location related problems, and, even though he was concerned about being approved for a limited license, he appreciated being given an opportunity.

(10:53 – 10:55)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, To: Sabah Shoshani, dba Bells Market, 720 West Owens Avenue

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and

(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;

(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated February 24, 2004 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on March 9, 2004. Based on a review of the SCOPE printout furnished to this Department by the applicant, we have determined he is preliminarily suitable to hold a temporary Alcoholic Beverage license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

From: Sabah Shoshani

To:
City of Las Vegas

Subject:
Applying for temporary beer / wine of sale license

I would like to request a condition of a temporary business license for the beer & wine of sale for 720 w. Owens (Bells Market)

Not to mention that I had been approved for a liquor license in the city of north Las Vegas (Quick Stop Market, 3407 E. Lake mead) and my investigation was done through the city of north Las Vegas in Sep, 2003 with detective Sayoko Fay

Also I want to tell you that I had been in Las Vegas since 1996 and I operated few businesses and because of the financial hardship that has to do with the sale of my previous business (car wash)
I need to invest right a way in Bells market

Thank you
Feb, 24, 2004



Sabah shoshani

City of Las Vegas

Agenda Item No. 58

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, C.R.I. - Counter Terrorism Training, LLC, dba C.R.I. - Counter Terrorism Training, 3214 West Desert Inn Road, Doron S. Benbenisty, Mgr, 85%, Christine M. Benbenisty, Mgr, 15% - Ward 1 (Moncrief)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License

RECOMMENDATION:
Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Letter from Christine Benbenisty
3. Map

MOTION:
MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process– UNANIMOUS with Ward 2 seat vacant

MINUTES:
The applicant was present.

JIM DiFIORE, Manager, Business Services, stated that there is no area of concern, and MR. BENBENISTY has an interesting background. He suggested approval as recommended.

MR. BENBENISTY indicated that he has been in Las Vegas for six weeks. He operated in Baton Rouge, Louisiana for four years. He trained military personnel before they were deployed to Iraq. He trained Special Forces personnel in Singapore for the last month. His area of expertise is in counter suicide bombing, car bomb training, and hostage training. He offers training to law enforcement, federal agencies, military personnel, and civilians. He answered for MAYOR GOODMAN that he received his training in Israel.

(10:55 – 10:55)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: FINANCE AND BUSINESS SERVICES
ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, C.R.I. - Counter Terrorism Training, LLC, dba C.R.I. - Counter Terrorism Training, 3214 West Desert Inn Road

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

(A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:

(1) The applicant's fitness for a license; and

(2) The appropriateness of the applicant's business location.

(B) A temporary license shall not be granted under this Section unless:

(1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;

(2) The Director makes a preliminary finding that all of the principals of the business are suitable; and

(3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated March 30, 2004 from Christine M. Benbenisty outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on April 12, 2004. Based on a review of the Scope printout furnished to this Department by Mr. and Mrs. Benbenisty, we have determined that they are preliminarily suitable to hold a temporary martial arts business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

C.R.I., LLC. Counter Terrorism Training
3214 W. Desert Inn Road
Las Vegas, NV 89102
702-408-2599
www.critraining.com

March 30, 2004

To Whom It May Concern:

I am writing in reference to obtaining a temporary work license from the City of Las Vegas, Nevada. For the past four years our company, C.R.I. – Counter Terrorism Training, has been in business in Baton Rouge, Louisiana. Over a year ago we started to look for different locations for our business to grow. The location that we had in Baton Rouge was not ideal and had started out being only temporary. We looked for lease space in Baton Rouge, New Orleans, Las Vegas, Miami, Memphis and several cities in Virginia. After various police department trainings and a US Army training we decided that no matter where we based the business we could grow as far as national training was concerned. The reason we chose Las Vegas was to grow our civilian part of the business locally in a market that could handle it. Las Vegas seemed like an excellent market given the tax incentives, population, income ratio and overall attraction of the city.

The "bread and butter" of the business has always been civilian training. In Baton Rouge we held classes twice a week in self defense for civilians. We were sponsored by Louisiana State University, synagogues and churches to hold classes at their facilities. These weekly and monthly courses drove the business between small and large government/military/law enforcement contracts which could take anywhere from 6 to 14 months to arrange. While our business could survive without the contracts for a long period of time, it could not survive without ongoing and short term classes given to civilians. This money flows without bureaucracy and, in general, pays the bills. If we are unable to offer these classes for four months pending approval, it will injure our business financially especially considering the amount of funds used to relocate here and pay off our lease in advance at our current location for one year ($27,000).

The courses that we offer to civilians are not easy to get into and we do not except just anyone. Before a student is even allowed to view a class, he or she must go through an interview process. We go to great lengths to make sure that who we teaching are of the best caliber. Our previous students in Baton Rouge have gone on to join the FBI, the US military (some serving currently in Iraq) and other government agencies. All have said that the training that we provided them has increased their chances of survival on the job, in combat and in life in general.

In addition to all of this, our business helps to generate revenue for any city that we reside. Our national and international clients that come to our location spend money on hotels, restaurants, entertainment, etc. This is why we chose Las Vegas. Its overall attraction will help to bring in more clients. Also our instructor base is taken from our defensive tactics classes and after being with us for 1-2 years we employ certain students. CRI will create jobs and add to the economy of Las Vegas. People that we have met in the process of making our decision to come to Las Vegas were very excited about what we have to offer to the community.

Las Vegas is obviously a vulnerable area in the United States when it comes to terrorism for various reasons. We believe that our presence here benefits the city just as it did in Baton Rouge when we trained local police departments and officers individually there. It is also important for us to be in operation since we are the leading agency that provides training against suicide bombers and car bombing in the world.

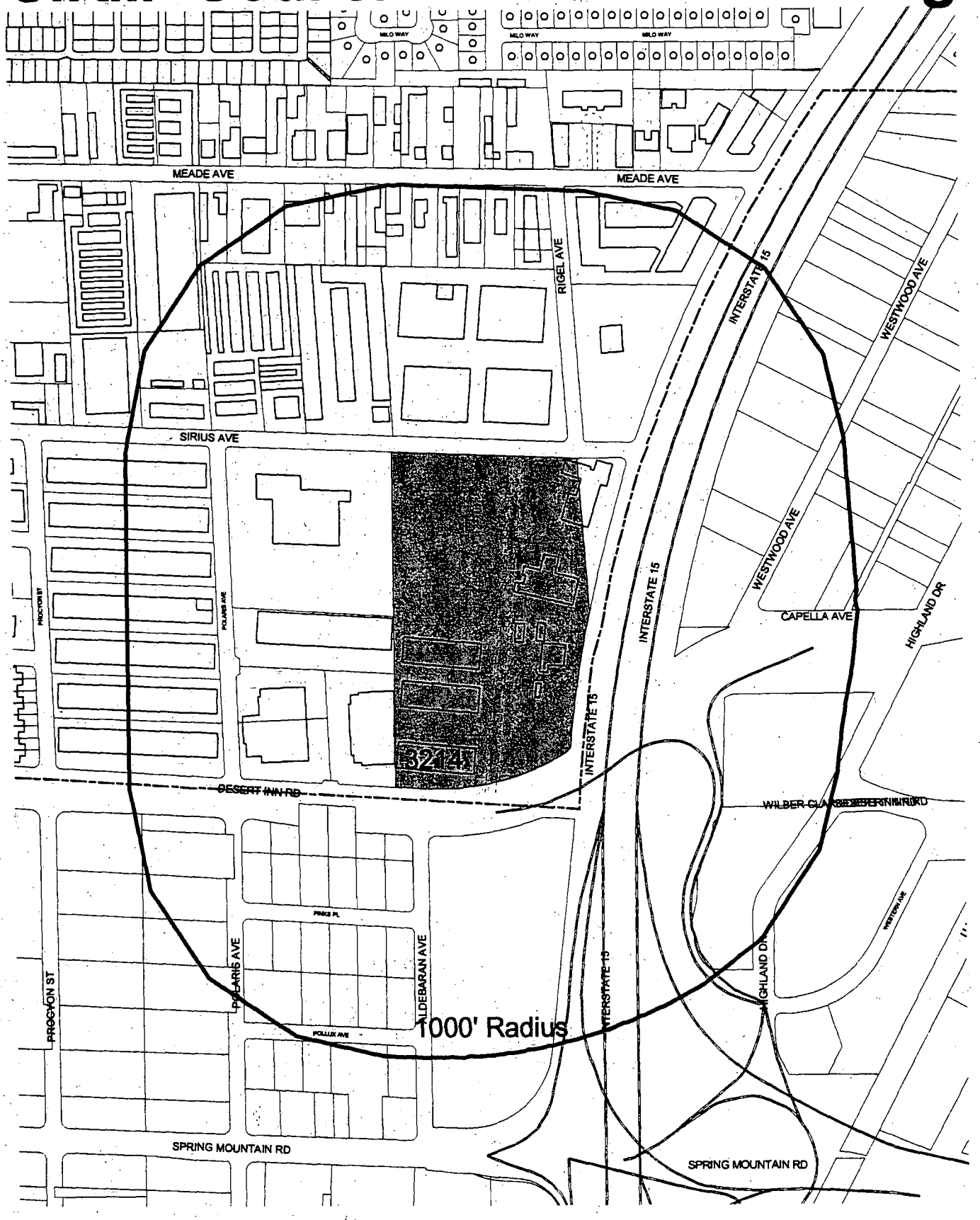
If you should have any questions at all regarding the business or its officers, please feel free to call Doron Benbenisty (CEO) or myself.

Sincerely,

Christine M. Benbenisty
Project Coordinator
CRI, LLC. - Counter Terrorism Training School
702-408-2599 (Las Vegas)
702-222-3489 (fax)
Email: critraining@go.com
www.critraining.com

SEE Attached documents

C.R.I.- Counter Terrorism Training



City of Las Vegas

Agenda Item No. 59

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the planning codes, Jason Samuel Aguirre, dba Myo Works, 2701 North Tenaya Way, #100, Jason S. Aguirre, 100% (**NOTE: Item to be heard in the afternoon session in conjunction with Item #101 - SUP-3947**) - Ward 4 (Brown)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Discussion and possible action regarding a new Massage Establishment License

RECOMMENDATION:
Recommend approval subject to the provisions of the planning codes

BACKUP DOCUMENTATION:
None

MOTION:
BROWN – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
The applicant, JASON AGUIRRE, 433 Emerald Heights Street, was present.

There was no discussion.

NOTE: See Item 101 [SUP-3947] for all related discussion.

(2:15 – 2:18)

City of Las Vegas

Agenda Item No. 60

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action to reconsider the City Council's Action of March 17, 2004, denying the application for Young Il Kong dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

Fiscal Impact

[X]	No Impact	Amount:
[ ]	Budget Funds Available	Dept./Division:
[ ]	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:
At the March 17, 2004, City Council meeting, a new application for Grand Master Kong Taekwon-do was presented to the City Council for approval. An investigative report submitted by the Las Vegas Metropolitan Police Department resulted in the denial of this application by the City Council. Attorney Robert Gronauer, representing Young Il Kong, has new evidence which was not presented at the City Council meeting for the Council to consider in its decision on this application.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
None

MOTION:
BROWN – Motion to reconsider – UNANIMOUS with Ward 2 seat vacant

MINUTES:
JIM DiFIORE, Manager, Business Services, requested the Council reconsider this matter and give ATTORNEY ROBERT GRONAUER an opportunity to give a presentation.

See related Item 61 for discussion.

(10:59 – 11:00)

City of Las Vegas

Agenda Item No. 61

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fire code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Discussion and possible action regarding a new Martial Arts Instruction Business License

RECOMMENDATION:
Recommendation to be provided following discussion of this item at the City Counil meeting.

BACKUP DOCUMENTATION:
1. Map
2. Submitted at meeting: letter dated 5/4/2004 from Attorney Robert J. Gronauer with eight attached letters attesting to Mr. Kong's character, Governor's Citation certificate from State of Maryland, and letter of appreciation from the World Taekwon-do Federation

MOTION:
BROWN – APPROVED subject to a six-month (11/3/2004) review, requiring Mr. Kong to submit application for a key contact person within 30 days, and that MR. KONG be available until a key contact person is hired – motion carried with MONCRIEF voting NO and Ward 2 seat vacant

MINUTES:
ATTORNEY ROBERT GRONAUER appeared together with the applicant.

JIM DiFIORE, Manager, Business Services, was present.

ATTORNEY GRONAUER indicated that since the Council considered this matter about a month and a half ago, a meeting was held with COUNCILMAN BROWN to discuss some of the issues, and he felt comfortable that those issues were addressed. With respect to the review on the business license, he indicated MR. KONG is willing to accept a six-month review and submit application for a key employee for the site. He offered to address any additional issues.

MAYOR GOODMAN noted that the record was fully set forth by DETECTIVE STACY RODD, Las Vegas Metropolitan Police Department (Metro), when this matter was previously considered. However, he questioned what was brought to COUNCILMAN BROWN'S attention to go so far as having this matter reconsidered.

CITY COUNCIL MEETING OF MAY 5, 2004
Finance and Business Services
Item 61 – Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fir code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

MINUTES – Continued:

ATTORNEY GRONAUER explained that there was an issue of whether or not his client confessed to the crime of kidnapping, and there was a long oscillating dialogue in trying to figure out his exact words. The fact of the matter is that he obtained and reviewed the Los Angeles Police Department reports and spoke to the investigating officer with respect to whether or not his client confessed to the crime. All the responses received indicate that MR. KONG did not confess to the crime. This was fully explained in the meeting with COUNCILMAN BROWN.

DETECTIVE RODD countered that this matter is being examined from a semantic point of view. For the record, he indicated that MR. KONG was brought into the Los Angeles Police Department and questioned by detectives about his role in the incident. MR. KONG'S representation was that it was a misunderstanding. He acknowledged that he was there and that he was in the room. Metro's focus was not so much on MR. KONG"S confession, but rather an acknowledgement that he was present and observed the beatings and torture taking place. The Los Angeles Police Department filed charges against MR. KONG.

COUNCILMAN MACK asked if the charges were dropped. DETECTIVE RODD answered that the witnesses, one of whom was a victim of the beatings, had a hard time trusting the authorities because MR. KONG has a history of training law enforcement officers. The victim thought that the Los Angeles Police Department and MR. KONG were in collusion. The witnesses subsequently disappeared because they felt unsafe; thus, the case did not go to trial.

ATTORNEY GRONAUER read from the Los Angeles Police Department report and indicated that it stated that the charges were not pursued because the witnesses had numerous opportunities to call out for help but they did not, and there were no witnesses to corroborate or support the victims' statements. ATTORNEY GRONAUER pointed out that MR. KONG has been doing Taekwon-do for about 60 years and is known as one of the founding fathers of this martial art. He is currently the president of the International Federation of Taekwon-do, which oversees millions of students. He submitted a list of character references. DETECTIVE RODD conceded that MR. KONG is probably a great martial arts instructor; however, Metro's focus is the manner in which he used his business and his conduct.

COUNCILMAN BROWN did not question that a crime occurred and that MR. KONG was involved; however, it is not clearly known to what extent. He requested to meet with MR. KONG and his attorney because he wanted to obtain a sense of the quality of MR. KONG'S

CITY COUNCIL MEETING OF MAY 5, 2004
Finance and Business Services
Item 61 – Discussion and possible action regarding a new Martial Arts Instruction Business License subject to the provisions of the fir code, Young Il Kong, dba Grand Master Kong Taekwon-do, 1780 North Buffalo Drive, Suite 105, Young Il Kong, 100% - Ward 4 (Brown)

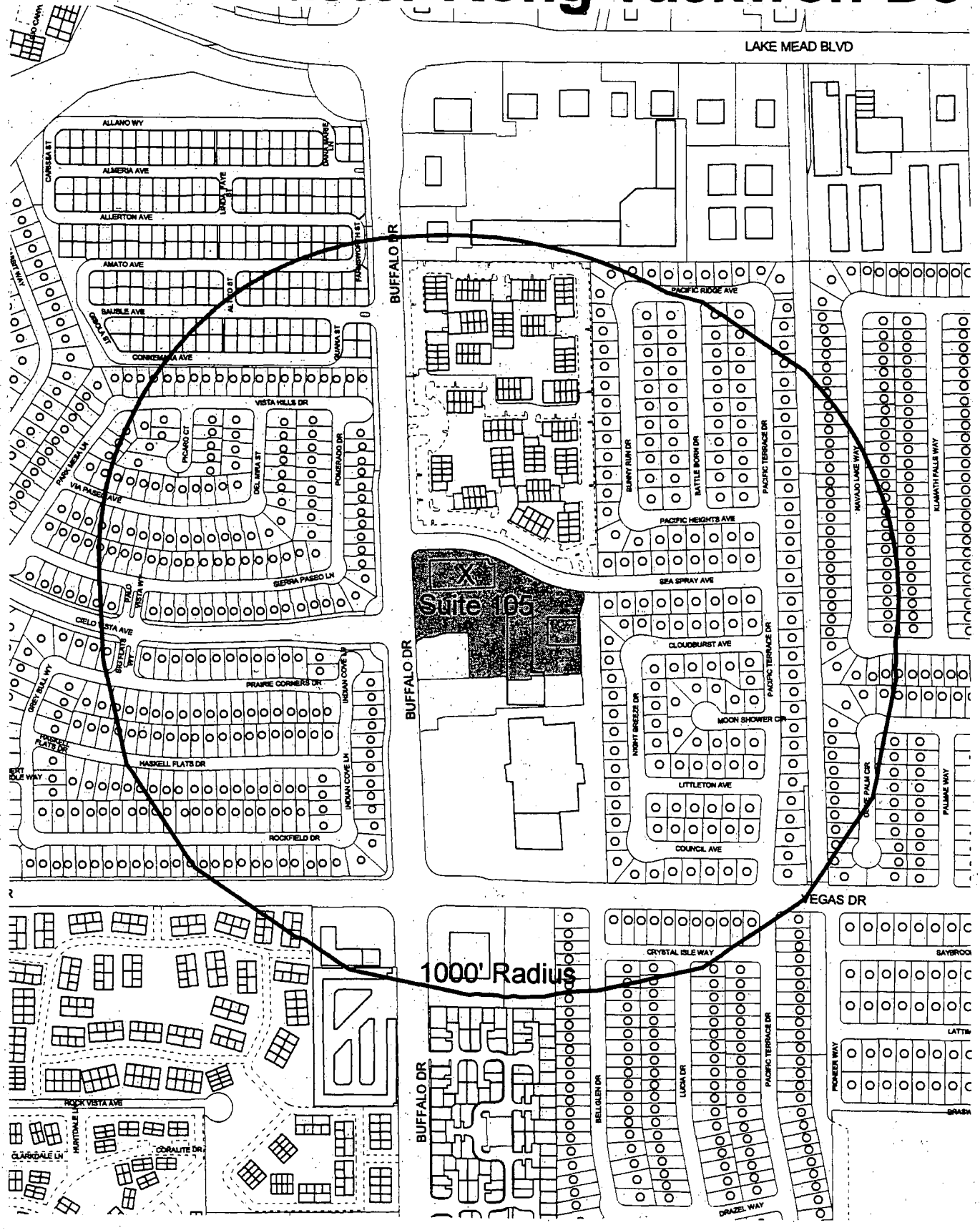
MINUTES – Continued:

character. MR. KONG indicated to him that he was really embarrassed by what he went through and talked about his family and character references. After that meeting, he felt comfortable in giving MR. KONG an opportunity to practice in the City of Las Vegas, contingent upon a six-month review, that MR. KONG submit application for a key contact within 30 days, and that MR. KONG be available until a key contact person is hired.

MAYOR GOODMAN confirmed with MR. KONG that he fully understood and accepted the conditions.

(11:00 - 11:16)

Grand Master Kong Taekwon-Do



KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, Nevada 89109-0907

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

ROBERT J. GRONAUER
rgronauer@kkbr.com

May 4, 2004

VIA HAND DELIVERY & FACSIMILE
382-6642

Mr. Jim DiFiore
City of Las Vegas
Business Services Department
400 E. Stewart Ave., 3rd Floor
Las Vegas, NV 89101

Re: Young Il Kong dba
Grand Master Kong Tae Kwon-Do

Dear Jim:

Enclosed herewith are letters and other documents that attest to Young Il Kong's character. Additionally, David Rohde, Julie Bowen McDonald and Ken Matonovich are scheduled to speak at the City Council meeting if required.

Please review and call me if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Robert J. Gronauer

RJG/mlt
Encl.

Submitted at City Council
Date 5/5/04 Item #61

TO WHOM IT MAY CONCERN

I have been a student of Grand Master Kong for the past fifteen years in his school in La Mirada California. My name is Nadja Ropac and I am a student.

In the school I have assisted Grand Master Kong instructing young people classes. It was remarkable to me how Grand Master Kong handled young students. He was loving and yet strict and commanded respect from them and from each other. He was always concerned with his student's progress in school and checking on their grades as well as encouraging them to do better and excel.

This probably doesn't sound like a big deal, but yet it is in a way. Many parents commented and thanked Grand Master Kong for their child improvement and changed attitude. For example: He/she is doing great in school now or he/she keep his/her room clean, he/she goes along with their friends now, etc.....

The day when Grand Master Kong announced that he is leaving California school and moving to Las Vegas to open a new school was the worst day and the saddest day for everybody in the school. There wasn't one teary eye in that room including all the parents.

Master Kong was loved by everybody and he will be missed very much.

I personally miss him very much and I am very thankful to him as he has changed my life to become an accomplished person.

Sincerely,

Nadja L. Ropac
714-522-5305

To Whom It May Concern

We are the owners of Puppy Enterprise which is located at 1780 N. Buffalo Dr.

We have known Master Kong for approximately three months while his studio was being built next to our store. During that time, I have found him to be a person of great character and integrity.

Not only would we be proud to have him as a new neighbor, but we believe our community could use a role model such as Grand Master Kong.

Feel free to contact us at 702-364-8255 if you require additional information.

Tammy Mathews [redacted]

COMFORT SYSTEMS USA.

California Comfort Systems USA Inc.
622 S. Vinewood Street Escondido, CA 92029-1925
Phone: (760) 737-7622 Fax: (760) 737-8419

License # 445836
Mechanical Contractors –Fabrications & Installations
HVAC – Piping – Plumbing – Struct. Steel – Ducting -
Sheet Metal – NB & ASME Code Accredited: R, U, S

April 30, 2004

TO WHOM IT MAY CONCERN

My name is Emil Ropac I am 59 years old and I am Mechanical Engineer by profession. Also I am father of four children and my wife and myself just celebrated our 37th wedding anniversary this year.

In 1990 I meet Grand Master Kong in his school in La Mirada California. My daughter was then 9 years old and she wanted to enroll in his school and also wanted me to join. This way we can be involved in something together like "daughter-father" project. Now, 15 years later we are still students of Grand Master Kong and always will be.

In retrospect I can honestly say that meeting Grand Master Kong and being his student(s) was the best decision I've ever made. I have seen my own daughter become and develop into a wonderful young lady, full of integrity, respectful and considerate of other people and just a great person to be with. Needless to say I have a brilliant relationship with my daughter. Myself I have also become very successful in my profession and as a businessman.

All this is due to Grand Master Kong's teaching and who he is as a human being. There is no greater gift that one can give you, but to teach you the way to become a harmonious, confident, loving and successful human being. Grand Master Kong gave me that gift and to thousands of other students as well. I'll be indebted to him for the rest of my life.

When I first started as a student of Grand Master Kong, he kept repeating the "Tenets of Tae Kwon Do" which are: COURTESY, INTEGRITY, PERSEVERENCE, SELF CONTROL, INDOMITABLE SPIRIT.
Back then these words were just noise in ears to say the least. Yes, I intellectually understood their meaning, but they were just words that I did not experience or have any particular relatedness too.

It was over time and steady practice under Grand Master Kong's teaching, that these words (tenets) gained root in my very being. I started to relate very profoundly and started to manifest its meaning because this is who I became. I have seen the same transformation in my daughter and hundreds of other students that I am still in touch with.

In fifteen years of being his student I have seen young people and adults, bikers, gang-bangers and people from all walks of life enrolling as his students. To this day I do not know of one single person that Grand Master Kong's teaching did not transform them into a better human being. Can you just imagine young dead end kids (mostly gang-bangers) actually quitting their gangs and become these wonderful young men, doing well in school and actually made something out of themselves.

I have seen this with my own eyes and as a father of four children I am all for it. Grand Master Kong is a definite contribution to any community in the world. Not only that he is already recognized a world famous Icon, he is also an international treasure to a Martial Arts community.

Cordially,

Emil Ropac
Ph: 619-520-0130

ALL-AMERICAN TRADITIONAL TAEKWON-DO

5325 South Fort Apache Road Suite "D", Las Vegas, NV 89148; (702) 294-2288;
E-Mail: jsayles@aattkd.com; www.aattkd.com

April 2, 2004

Re: Grand Master Young Il Kong

To Whom It May Concern:

This letter is written on behalf of taekwon-Do Grand Master Instructor, Young Il Kong. My name is Joe Sayles, Jr. I am an elementary school teacher, a taekwon-do Master Instructor and Grand Master Kong's student. I have known Grand Master Kong since February 1988.

Grand Master Kong is one of the world's most prominent martial artists. He is one of the pioneers of taekwon-do. Through the art that he teaches, he has positively influenced communities throughout North and South America. As one of the pioneers of taekwon-do, Grand Master Kong helped spread the world's most famous martial art form.

Taekwon-do is a martial art that teaches character development through its tenets Courtesy, Integrity, Perseverance, Self-Control, and Indomitable Spirit. Like scouting, taekwon-do is known for helping guide its students to self-improvement through a self-defense based physical fitness program. Grand Master Kong demonstrates these tenets in his everyday life. He has always been a leader by example.

Grand Master Kong has always been an outstanding citizen in his community. He has received a community service award from Maryland Governor Marvin Mendell. He has received numerous awards for service to the martial arts community. He has served as a deacon in his church for years. He has helped many parents to guide the rearing of their children through his training. Under Grand Master Kong's leadership, I too have learned to positively influence my community. The interpersonal development and guidance that I received from him has lead me into careers where I now positively influence my community as he taught me to do. Unfortunately, I fear that his community stature may have made him a target of someone's vengeance.

Grand Master Kong is the President of the newly formed International Ch'ang Hon Taekwon-do Federation. This international organization has recently moved to Las Vegas. As an organization in Las Vegas, the ICTF will benefit the community in several ways. First, the organization will hold several tournaments and conventions that will benefit Las Vegas through generating revenue. Second, the headquarters of Grand Master Kong's ICTF will be a traditional taekwon-do school spreading the tenets and interpersonal development to the members of the Northwest community through its programs.

On behalf of Grand Master Kong, please reconsider granting him a business license.

Respectfully,

Joe Sayles, Jr., Director and Master Instructor
All-American Traditional Taekwon-Do

David M. Rohde
2626 Sierra Ave.
Norco, CA 92860

(909) 273-6513
(909) 317-0491 (cell)

March 31, 2004

Dear Sir or Madam:

I have known Grand Master Kong Young Il for over 16 years. Over the course of those years I have spent considerable time with Grand Master Kong as a student of TaeKwon-Do. I have trained with Grand Master Kong, traveled with him, conducted business with him, and have spent time with him socially and casually. Through all my dealings with Grand Master Kong, I can honestly say, that I have never met anyone of higher personnel integrity. It's been my experience that Grand Master Kong is honest, hard working, generous and always has the best of intentions. I consider Grand Master Kong a mentor and a good friend, and I have the highest regard for him in all aspects of his life.

Grand Master Kong is one of the finest Martial Artists that I have ever know. He is renown throughout the world TaeKwon-Do community for his excellence and abilities. As a martial artist, he is the "real thing", and can provide a level of knowledge and instruction that is scarcely available in any region of the country. I am positive that any community that had the opportunity to associate with him would be greatly and significantly enriched.

I'm providing some background information to support the credibility of my comments: I have been working for the United States Navy, Naval Surface Warfare Center, Corona Division since 1987 (same year when I first met Grand Master Kong). I am a licensed Mechanical Engineer and currently employed by the government at the GS-13 Grade level. I work on many sensitive programs and I am held in high regard by my employer. I am also a Naval Reserve Chief Petty Officer, and have been awarded three Navy Achievement Medals and one Navy Commendation Medal.

I urge you on the behalf of Grand Master Kong to approve his request for a business license to teach TaeKwon-Do in Las Vegas. Grand Master Kong is a wonderful person and I'm sure that you will discover in a very short time that his value to your community will be enormous.

Please feel free to contact me directly if you have any questions or need any additional information.

Sincerely,



David M. Rohde

Assemblies of God
감사한인교회
THANKSGIVING CHURCH

담임목사 김 영 길
Pastor Young Gil Kim

March 28, 2004

To Whom It May Concern :

Deacon Young Il Kong has been a faithful member of Thanksgiving Church of Buena Park, California since 1985.

He is a well respected member of our church due to his sincere faithfulness and humility. Deacon Kong's reputation is well known among our church members as someone who is absolutely "dependable" and "helpful". He is looked upon as a true role model and true treasure not only among our church members but even among his colleagues and community as well.

Furthermore, as an Martial Arts expert, he has used his exceptional leadership skills to positively influence and encourage numerous young men and women to be disciplined, motivated and successful.

If you have any question, please do not hesitate to contact me anytime.

Sincerely Yours,

Young Gil Kim, Senior Pastor

6959 Knott Ave. Buena Park CA. 90620 (714)228-0540 FAX (714)521-4636

To: Las Vegas City Commissioners

Subject: Grand Master Kong, Young Il

From: Master Mel Steiner

I have been in the martial arts for 35 years having recently attained the second highest rank in Taekwon Do, featured in magazines and T.V., as well as written articles on the subject, was inducted in the Karate Hall of Fame and received numerous awards for my accomplishments in the field, to name just a few of my accolades. (Please refer to www.chitkd.com and www.ICTF-web.com for further information).

The subject of my letter is not about me but about Grand Master Kong Young Il whose expertise and accomplishments extend much further than mine, he being one of the pioneers in the field of Taekwon Do and having been there from its inception to promote the art world wide. The founder of Taekwon Do, recently having passed away, left behind an organizational void. With that in mind, the International Ch'ang Hon Taekwon Do Federation was founded with its headquarters in Las Vegas, Nevada and whose main purpose is of continuing educating the public at large, Courtesy, Integrity, Perseverance, Self-Control and Indomitable Spirit. As President of this distinguished organization, Grand Master Kong was unanimously elected due not only for his experience and knowledge, but more importantly due to his religious beliefs concurrent with the above mentioned tenets, critical to what this organization represents and certainly an asset to the Las Vegas community as a whole. We all are charged with the responsibility of giving back more to the community than we receive, as part of our continuing training and there is none better to do just that in Las Vegas than Grand Master Kong Young Il and his Young Brothers Taekwon Do school.

Master Mel Steiner
8th degree
Executive Vice-President, ICTF

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Post Office Box 1315
Pittsburgh, Pa. 15230

April 24, 1979

Master Young Il Kong
Young Brothers Institute
3391 Babcock Boulevard
Pittsburgh, Pa. 15237

Dear Master Kong:

It is with regret that we learn of your decision to relocate to Houston.

Your outstanding abilities both as a practitioner and teacher of Tae Kwon-Do will be missed by the personnel of this office who you have so diligently trained.

I have very much enjoyed our association. In my case you worked a major miracle in "reconditioning" this old man and incidentally teaching him some very potent techniques.

Thank you for your patience and interest. Our best wishes to you and Mrs. Kong in your new endeavors.

Sincerely,

ARTHUR F. NEHRBASS
Special Agent in Charge

The State of Maryland

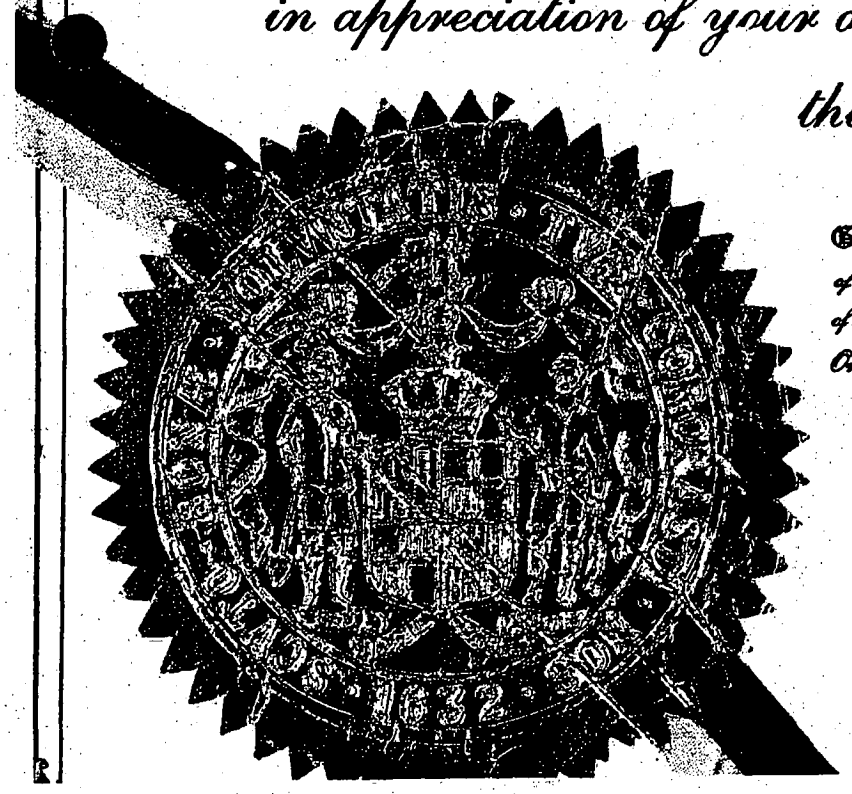
Marvin Mandel, *Governor, to*

YONG IL KONG , **Greeting:**

Be it Known, *That by your demonstration of high integrity and ability, meriting our great trust and respect, we are most pleased to award you the*

Governor's Citation

in appreciation of your outstanding services to the citizens of this State



Given Under My Hand and the Great Seal of the State of Maryland, at the City of Annapolis, this 26th *day of* September, *In the Year of Our Lord One Thousand Nine Hundred and* Seventy-Three.

Governor

Secretary of State

KUKKIWON

WORLD TAEKWONDO FEDERATION

International Taekwondo Academy

KUKKIWON

Letter of Appreciation

presented to

KONG, YOUNG - IL
GRAND MASTER
TAEKWONDO
U. S. A.

in appreciation for his/her dedicated service and contribution to the development of Taekwondo.

25 Nov., 1996

UN YONG KIM
President

City of Las Vegas

Agenda Item No. 61A

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: ORLANDO SANCHEZ [ ] CONSENT [X] DISCUSSION

SUBJECT:
Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not to exceed $100,000 and other matters pertaining thereto - Ward 5 (Weekly)

Fiscal Impact

[ ]	**No Impact**	**Amount:** $100,000
[X]	**Budget Funds Available**	**Dept./Division:** Neighborhood Services
[ ]	**Augmentation Required**	**Funding Source:** General Fund-Winter Shelter Fund

PURPOSE/BACKGROUND:
On Thursday, April 29, 2004, Judge Hardcastle lifted the temporary restraining order against the closure of the Sky Vue Mobile Home Park and the City is proceeding in the enforcement of the order of the Fire and Building officials to evacuate the residents living at 15 West Owens. The City and various community agencies have been working with residents in their relocation efforts.

RECOMMENDATION:
Staff recommends approval.

BACKUP DOCUMENTATION:
None

MOTION:
WEEKLY – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:
NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:
OSCAR GOODMAN, Mayor
ORLANDO SANCHEZ, Director, Neighborhood Services
MICHAEL MACK, Councilman
BRAD JERBIC, City Attorney
LAWRENCE WEEKLY, Councilman
GARY REESE, Councilman
AL GALLEGO, Citizen of Las Vegas
TODD FARLOW, 240 N. 19th Street
BEATRICE TURNER, West Las Vegas resident
DOUG SELBY, City Manager
LARRY BROWN, Councilman

CITY COUNCIL MEETING OF MAY 5, 2004
Neighborhood Services
Item 61A - Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not to exceed $100,000 and other matters pertaining thereto - Ward 5 (Weekly)

MINUTES – Continued:

NOTE: MAYOR GOODMAN directed CITY ATTORNEY JERBIC to file suit as soon as possible against the owners of Sky Vue for the hard costs and City staff time. Also, to draft an ordinance, if not already in place, making slumlords subject to criminal sentencing.

NOTE: COUNCILMAN REESE directed CITY ATTORNEY JERBIC to file a lien on the property in order to get reimbursed for the expenses incurred by the City.

NOTE: MAYOR GOODMAN directed CITY MANAGER SELBY to put an item on the 5/19/2004 agenda to discuss the City's future position, as a matter of policy, in similar situations. Additionally, COUNCILMAN BROWN stressed that he would like that item to allow for discussion regarding the extent of the City's involvement in such situations.

(11:16 – 11:40)

CITY COUNCIL MEETING OF
May 5, 2004

VERBATIM TRANSCRIPT – ITEM 61A

Report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue and to allocate funds for temporary housing and relocation costs of displaced residents in an amount not ot exceed $100,000 and other matters pertaining there to.

Appearance List:

OSCAR GOODMAN, Mayor
ORLANDO SANCHEZ, Director, Neighborhood Services
MICHAEL MACK, Councilman
BRAD JERBIC, City Attorney
LAWRENCE WEEKLY, Councilman
GARY REESE, Councilman
AL GALLEGO, Citizen of Las Vegas
TODD FARLOW, 240 North 19th Street, Las Vegas
BEATRICE TURNER, West Las Vegas resident
DOUG SELBY, City Manager
LARRY BROWN, Councilman

(11:16 – 11:40)

2-1431

24 minutes

Typed by: Ydoleena Yturralde
Proofed by: Angela Crolli

VERBATIM TRANSCRIPT – ITEM 61A

OSCAR GOODMAN

All right, Item 61-A. This is a report and possible action on the Sky Vue Mobile Home Park, 15 West Owens Avenue, and to allocate funds for temporary housing and relocation costs of this place, residence, in an amount not to exceed $100,000 and other matters pertaining thereto. This is in ward 5. Mr. Sanchez.

ORLANDO SANCHEZ

Mayor and Council, Orlando Sanchez, Director of Neighborhood Services. The item that is before you is to allocate up to a $100,000 for the placement of displaced residence from the Sky Vue Mobile Home Park. Just to give you a brief history of what's going on in the progress that we've made in relocating people. I have a little pie chart showing exactly how many people have been relocated and etcetera, if you won't mind going to the overhead.

OSCAR GOODMAN

Overhead, please.

ORLANDO SANCHEZ

Eighty-four head of households have been relocated and placed in housing as of this morning at about 8:30. We have seven head of households that are currently going through this system and hopefully be found permanent housing by the end of this week. The remaining 21 individuals are eight households signed the triage center but never came back to follow through so we assumed they found their own means and found their own residence. The other 13 heads of household we made no contact, so we figured they either had the same route, they had their own means, so they found their own housing as well. Now, I'd like to go to into our current status and where we're at in the funding. As you know you allocated 40,000 last council meeting towards this process. The total estimated cost, and I'm just going go over to them the estimated cost of what we have to date. Total estimated cost for city labor is at a price tag of $56, 075. This figure will not be, will not be taken out of the 140,000 total if we get the 100,000 approved today. The total cost for services provided to, you know, for Budget Suites, cost of food bussed to us and etcetera, and also the moving cost is totaling right now at $50,429. Unless you direct

otherwise the following are the services that we will be providing along with the along with pending cost. Part of the thing is when we have owner occupied mobile homes, and currently some of them want to be relocated, the cost for relocations range from 4,500 to 6,500, so we took the average of $5,500 to relocate each mobile home. Now what that includes is not only the disconnect, it also includes minor adjust, minor improvements to the facility so when they move to the new site they will be labeled and habitable for the – resident in there. There is, according to some figures, there's as high as 28 owner occupied mobile home parks, mobile homes. But according to our records about ten are probably able to be moved so we're looking at a cost of $55,000. Moving personal belongings, we're assuming we have about five more to move, that's 1,320. We have security on site right now to protect not only the owner occupied residents but also just people that are in still moving, in the process of moving and have their personal belongings there. We, the security just costs 5,292 a week. We also have people that have a lot of stores that are moving into hotels that do not have adequate space for their personal belongings so we're wanting to rent storage places that had costed $80 a month. So we figured a one month max rent for four storage rooms would be enough and that's 320.

We also found out in going through this process that a lot of individuals when you move into a house or an apartment you have 48 hours that you have to turn over utilities to your name or else you're not allowed to live in that apartment because you have to have utilities. A lot of people that we're moving into, or few people I should say, are moving into this, they have their accounts in arrears where they have not made payments so they do not have the funds, so we're probably going to have to supplement that to pay their – Nevada Power or Southwest Gas or whatever is necessary. We do not have a solid figure on that. That's going to be on a case-by-case scenario.

So to recap, if this item is approved, we'll have a $140,000 total for this relocation of displaced residents from the Sky Vue Mobile Park. Of this we've excluding the cost of labor, we're not – counting the cost of labor for staff; we'll have a balance of 89,571. When we subtract -- the estimated pending – pending cost of 61,932, we have a remaining balance of 27,639, and what this will be set forth is just for other unexpected cost. If Clark County Social Service comes back to us and says, there were more tokens given more food cards given, it's just a little bit of a

cushion that we'll have. But the good news is, I guess, if there is good news in this entire thing is, we did replace we did find alternative housing for 84 individuals and if you divide the 140 by the eight, by, 91 when we do the other eight individuals, the total cost for relocation of each individual only comes to $1,538.46, which is not bad money spent to give people a decent housing alternative. We're recommending approval for this item and I'm here to address any questions or concerns or any suggestions or recommendations you may have.

OSCAR GOODMAN

Okay, thank you. Are there any questions? Councilman Mack?

COUNCILMAN MACK

Thank you Orlando. I think your staff, the City manager's office, and Councilman Weekly, you guys done a fine job of taking care of this (inaudible) situation. I guess, my – current concern is, I'm hearing reports of other mobile home parks that have problems. Are we setting a precedent here? Are we going to be fixing these problems throughout the City? Are we putting the burden? Are we going to go after this money and go after the land owners and recoup this money?

ORLANDO SANCHEZ

That is a very good question. Due to the direction from the Mayor and the Council on preceding basically, Sky Vue was a unique situation because it has been there for 50 years like they state. But we were not actually involved in the -- we expect owners to be responsible owners. We are a reactive agency. When we go out there and we react to complaints and etcetera but this one was in such a condition and it was brought to our attention by, not only the Clark County Health District but also the State Manufacture Housing, that we jumped into it with two feet. So, I think with the direction of the Mayor and Council, now we are going to go out there, we are going to start looking at other mobile home parks. But just by us giving those notice, we've noticed a lot of cooperation. Shady Acres, for example. They're going gangbusters out there trying to bring their park up to condition. We have not, we're having a debrief maybe Thursday or Friday with all agencies and we're going to get together and come up with a list of parks within the City

limits that we're going to go out there and address. It's safe to say that Shady Acres will be one of our first ones since it was brought to our attention when we were at Sky Vue Mobile Home Park saying, why are you picking on us, why don't you go to Shady Acres. Our preliminary drive thru there was no raw sewage or anything that was an imminent hazard. So, I think the owners are going to be very cooperative in light of exactly what you guys have done with this park, I think they've seen an example that's not going to be tolerated by the City of Las Vegas. And I think this is like a poster child and I think it's going to do a lot of good for the City, so.

OSCAR GOODMAN

Very good. Any other comments? I would ask the City Attorney, Mr. Jerbic, to file suit as soon as it's practical against the owners of Sky Vue and not only for the hard cost that Mr. Sanchez has told us about but also for our City staff time. That shouldn't be a gift to them.

ORLANDO SANCHEZ

Absolutely.

OSCAR GOODMAN

So whatever – efforts were extended by us, I want to seek compensation back from them.

BRAD JERBIC

We're working on that lawsuit as we speak, Your Honor.

OSCAR GOODMAN

Very good. Can't be fast enough. Councilman?

COUNCILMAN WEEKLY

Your Honor, I guess I'd like to ask the Council here, 'cause that was a very good question that Councilman Mack did ask, what if we run into a situation where we discover that there are some major issues in Shady Acres. I mean I was watching a report this morning on one of our local news stations, and I think it was a Mr. Rick Dominguez, who allowed Alice McCarthy, I think it

was, to go inside of his – particular home there which turned out to be very nice but from my understanding, Orlando I guess from recent reports, and I haven't had a chance to go inside the Shady Acres as of yet, but what if we discover that there are some serious health hazards that have been brought to our attention. I mean it's a very good question. Are we setting a precedent here after dealing with Sky Vue and what ownership do we have of this. I mean being that we have jumped in with two feet and we're looking at these issues here, and they are apart of the City of Las Vegas and we somewhat have some responsibility here as well as the owner. So I guess I'm asking from you all, whom have been very supportive thus far, where do we go from here if we discover that there are other issues out here?

OSCAR GOODMAN

That's a very good question, Councilman. This is the time to discuss it. I – myself feel that government owes an obligation to folks who really are in a position where they can't take care of themselves. And I had the impression that the residents at Sky Vue were trapped, they were trapped at a morass that they couldn't get out of that were there and really it didn't matter whether or not there was raw sewage or whether or not they were exposed to wires, whether or not there were mites that bite and give you horrible scabies and pain and infection. They couldn't go any place. When that was brought to our attention, I think this Council and you stood up quickly and said we're not going to tolerate that, we're not going to allow our constituents to live that way and unfortunately in the beginning the tax payers meet that burden. We needed taxpayer money to pay in order to pay in order to accomplish these things. But on the other hand I think with the directive to the City Attorney that we should seek recompense from the owners. And in my opinion, I think a very good argument could be made, Mr. Jerbic, that this is tortuous activity. I think that it's willful, and perhaps punitive damages could be sought as well because lessons have to be learned. I also believe that if we don't have ordinances in place, which makes being a slum landlord a criminal activity, that we should enact such ordinances and I would ask you to brief us on that as to whether or not we have them and if we don't to draft an ordinance so that people could go to jail and we can perhaps sentences them to spend about six months in one of the trailers in Sky Vue.

COUNCILMAN WEEKLY

Right and I guess another question I just wanted to ask Orlando, thank you, Your Honor. Orlando, what how do we address the animal issue because that was a huge issue for us. I mean there were just variable of things we had to deal with and it was very, it has been very overwhelming for all of us who have had to deal with this on a daily basis here. How do we deal with that because there were several homes owners who had to part with their animals and –

ORLANDO SANCHEZ

We were very fortunate, Detention and enforcement came through for us as usual. They worked with the Lied Foundation Animal Shelter and they were giving them up to ten days free stay out there. But with this extra money that we have, the 27,000 and change that we have we'll talk with the Lied Discovery, with the Lied animal Foundation and see if they'll allow us to extend it up to 30 days. And they've been very good, and hopefully they'll just say, they'll let us stay there for free for 30 days without charging the City, but we'll work with negotiations with them on that. But every animal that was out there, that the owner wanted to be kept is in shelter right now. The ones that they didn't want like if they had cats or dogs, that they were put up for adoption after three days, I believe. But, other than that, all animals have been placed or are in shelter right now.

COUNCILMAN WEEKLY

Okay, just one additional question, Orlando, is, what do we do about the residents who had an abundance of things that they were no able to take into those apartments? We provide any resources, as far as storage?

ORLANDO SANCHEZ

Right now we do not. In this item before us this will give us the mechanisms so we would be able to allow storage up to one month. Right now they're just being stored behind the movers trucks in their yard and they're charging us $70 a day. So we wanted direction on this if we can move as quick as possible and get storage on it.

COUNCILMAN WEEKLY

Your Honor, one of the things that this entire triage move did was put together, try to put together, the entire package. And you know one of the things I tried to say to people who were out on site for example, Al Gallego, and many of the other residents who were out there, there were people who were very companionate and then there were those who, you know, were not as participating as some of our residents were. But I think what they tried to do was put together an entire triage package where no stone was left unturned, if possible. But I guess sealed, I think, we're sitting on something here that will open up Pandora's box because I kind of have a feeling that we're going to run into another incident like this. And there needs to be something in place so that we don't have to call another Special Council Meeting back. We need to address it today, as to how do we deal with the future mobile home parks that have major imminent health hazard issues.

OSCAR GOODMAN

Okay, well this is the time for the Council to express themselves. I tried to express myself. I think we just have to go in and rectify the problem and then punish those who caused it. But, Councilman Reese?

COUNCILMAN REESE

Yes, I had a gentleman call me yesterday, he got in contact with me yesterday and I told him, he asked me about buying this piece of property where the Sky Vue was at. And he said what about the cost incurred, and I said well hopefully the City has put a lien against that property for any cost that we have incurred. Right now, so that they aren't able to sell this property tomorrow, and run out on us. I think there should be a lien put there; there should be a lien in place right now to – receive our money back. But also I'm certainly aware of potential problems we may have but again, I don't think you can turn your head because of the cost. I think that we as the Council have to figure out some way some how. Again, I think, when Mr. Sanchez mentioned this being a poster child, hopefully some of these other mobile home parks inner city will take heat and hopefully go in there and start been hit before we get our code enforcement officers in there and checking them and we won't have the problems we had here again. But I feel,

definitely, that if we do have problems sooner to or even as bad as, we've got to take the same action. We can't just, we use this triage again it may take us a lot less time to go in there and correct the problems we may find.

COUNCILMAN WEEKLY

Well, Mayor Pro Tem let me say to you that, and I respect what you just said, but let's say to anybody who call us and ask us about this property, I don't even think that we ought to be even entertaining anything like that because that – was one of the big huge issues out there that there is this underlying motive. Now unless there is, and I'm not aware of it, then do what you do, but I think the main thing that we need to be discussing and anybody who's calling up asking what are we going to do with the property, it's not our property.

COUNCILMAN REESE

No, no, no.

COUNCILMAN WEEKLY

No, I understand what you're saying.

COUNCILMAN REESE

He's trying to buy the property.

COUNCILMAN WEEKLY

What I want to here from you all right now is what do we do to now address possible future problems that we have had at Sky Vue with the possibility of other mobile home parks. That's the direction we're looking for right now. That's what I'm asking you guys right now. We need to have some clear concise direction as to what, and may, are we, and let me ask this, are we going way off base here, because I know these attorneys keep saying we're not agendaed for –

OSCAR GOODMAN

Yeah –

COUNCILMAN WEEKLY

-- certain things in open meeting laws and all this, but folks we, you know, this is a serious issue here, and everybody is sitting by waiting to see how we're going to deal with Shady Acres now and all of these other trailer parks, mobile home parks, I'm sorry. But I guess, I'll just wait to hear from you all and I guess I'm understanding that we're not agendaed for this discussion.

OSCAR GOODMAN

That's what I should suffice.

COUNCILMAN WEEKLY

Okay, all right.

OSCAR GOODMAN

I think we have to follow the attorney's advice.

COUNCILMAN WEEKLY

Okay, well what direction do we give this gentleman here from this department? Are we only addressing, approving his recommendation for this money?

OSCAR GOODMAN

Yes. We'll hear from Mr. Gallego, if he wants to be heard, please.

AL GALLEGO

First, I want to thank Director Sanchez and his staff. They did an outstanding job, they were, I get chills in my arms when I think what had happened in that park. I was there day and night and even I lost one of my gentlemens that I was trying to help and I, it took me two days to find him. I didn't know where he was. He's devastated. He was there 40 years and it's, I go with a heavy heart to see what we did. We should have been at the park, the residents, Councilman Weekly hit it right on the nail. That's the only place they could have a place to live. They couldn't go anywhere else. They didn't, I don't think they knew any better. That was – their home and I'm

– very sensitive to what happened with the staff, what they did and so forth. But I have a little concern what's happening now. The fence, in the side fence hasn't been repaired. I'm hearing that there's sort of break ins in the different coaches. They have a security guard that it, they have a security guard that's employed by the corporation of the Sky Vue. He's living in that, one of the offices, which I think is a no-no. If you get everybody, that's everybody out of there should be out of there not they shouldn't live there, they should be completely out of there. And I'm kind of concerned about that because they're starting to have break-ins in different coaches and so forth. Our – marshals cannot watch everything. I mean they're doing a great job and so forth, but we need a little more security there until everybody is moved out. And Mr. Sullivan, the one that I've been trying to take care of, he's having trouble moving his coach, but hopefully he can have them moved out this week but his time where he's staying is going to run out. He might not be able to have a place to live for a couple of days so I have even, I even asked him to come to my house until we settle his coach and make it livable. His coach was immaculate. I'm very proud of him someone in that park had a nice coach. It was beautiful, but the other ones, I wish I would've, the Mayor, you told Mrs. Dimarco, would you live there? I would have told her which coach for her to go live in, and I know she would have refused. She would have refused. But let's take care of that park and so forth and, I'm going to be a little more sensitive and proactive to what's happening in these, some of these parts, and residential areas too. Thank you.

TODD FARLOW

Thank you, Todd Farlow, 240 North 19th Street. I think the City did the right thing. If this sets a precedent, so be it. To put balance on the equation though, I want to say this, I lived in the Dimarco's College park for quite some time and we just had an absolute blast down there. The trailers were junk, but I made some friendships there that have continued to this day so there's two parts of that equation. Thank you very much.

BEATRICE TURNER

Beatrice Turner, West Las Vegas. You know, Mr. Gallego just said something. When you asked Ms. Dimarco, would she live in one of them trailers and then she thought about it she say maybe. If you go to Henderson and look at the home that she live in, ain't no way in hell she would live in that trailer park. 'Cause, Oscar, you've got some lovely homes in your area where you live at and do believe me you don't got one in Scotch 80 look as good as the home Ms. Dimarco live in.

OSCAR GOODMAN

We have rats, though, that, which is I guess is something.

ORLANDO SANCHEZ

Mayor and Council, real quick, Al did hit on an important thing. Once – we get security out of there, within a week or two, that place, there's going to be some vacant trailers there and it is going to be pretty much savage. And we're going to put a notice to the Dimarco's that they should provide security on site. And then once it goes to that, we'll do our regular Notice and Order, but we cannot do anything until it becomes to a condition so I'm just bringing that to your light right now. There might be a little bit a of a turmoil.

OSCAR GOODMAN

I think so that we can comply with the open meeting law, I'd like to ask the Manager to put a, an item on our next agenda to discuss what our future position is going to be as a matter of policy as far as events such as this.

DOUG SELBY

We'll do that, Mayor.

OSCAR GOODMAN

All right. Thank you very much. Councilman.

COUNCILMAN BROWN

Your Honor?

OSCAR GOODMAN

Yes.

COUNCILMAN BROWN

If I could add to that direction. I'd be interested, as Councilman Weekly has brought up, the City often takes a leadership role. We certainly had tremendous assistance from many agencies here, but I'd balance that aggressiveness, as far as, where do we draw the line where absolutely we need to protect the general welfare and the safety of our citizens, but that line has to be drawn somewhere. Mr. Sanchez certainly doesn't have the staff recourses to be all things to all people. So, balancing where we should be involved against where, especially with private property, we need to remain reactive until notified that there are some health issues or public safety issues involved. So, if we could include that in the dialogue.

OSCAR GOODMAN

Very good, thank you. All right. Councilman?

COUNCILMAN WEEKLY

My motion is to follow staff's recommendation, please.

COUNCILMAN MACK

Councilman Weekly?

COUNCILMAN WEEKLY

Yes.

COUNCILMAN MACK

Maybe, we can ask the City Attorney, the caveat be on his motion to follow up with the City Attorney's office for, to reimburse these funds through the landowner.

BRAD JERBIC

I don't think it can be part of the motion, but I do think that that is certainly the direction we are following and I will be glad to update the Council as we proceed through that process.

COUNCILMAN MACK

Thank you.

OSCAR GOODMAN

Okay, let's vote, please. Post. Motion carries. **(Motion carried unanimously with Ward 2 seat vacant)** Thank you.

/yy:ac

City of Las Vegas

Agenda Item No. 62

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PUBLIC WORKS
DIRECTOR: RICHARD D. GOECKE [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

Fiscal Impact

[X] No Impact — Amount:
[ ] Budget Funds Available — Dept./Division: Public Works/City Engineer
[ ] Augmentation Required — Funding Source:

PURPOSE/BACKGROUND:
Reconsider prior Council actions in light of a recent regional mall proposal.

RECOMMENDATION:
To be available at meeting

BACKUP DOCUMENTATION:
Agenda Memo

MOTION:
MACK – APPROVED to delay the bid opening to 6/1/2004 – UNANIMOUS with GOODMAN abstaining to avoid any potential conflict because this involves the property of MR. SCHULMAN, who is the partner of JERRY SNYDER, with whom the Mayor has a business relationship and Ward 2 seat vacant

NOTE: Before indicating his abstention for the above reason, MAYOR GOODMAN asked CITY ATTORNEY JERBIC if he should abstain because the Centennial Academy could be in direct competition with the Meadows School, with which his wife is involved. However, after hearing from MS. WILSON that the Centennial Academy is not geared towards college prep and keeping in mind the policies of Meadows School, MAYOR GOODMAN indicated that he would partake in this matter, on the advice of CITY ATTORNEY JERBIC that disclosure would suffice.

MINUTES:
RICHARD GOECKE, Director, Public Works, reported that a special improvement district was approved for improvements on Grand Montecito Parkway, which would be built to four lanes, from Elkhorn to Centennial Parkway. This was done in accordance with the Master Traffic Plan for the development. However, Triple Five Development recently proposed to build a regional mall in the area. This changes the complexity of the traffic study. Staff does not believe that a four-lane road could adequately handle the traffic a regional mall would bring. Staff feels it would be necessary to go to six lanes. The necessary right-of-way was acquired for a four-lane

CITY COUNCIL MEETING OF MAY 5, 2004
Public Works
Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

road; the biding process is in place; and the bid opening was set for 5/20/2004. Staff has held many meetings with many of the developers and the engineers as to how to go from the current planned four-lane road to a six-lane road. It was determined that in order to accomplish this, it would be necessary to start over with the Special Improvement District process and to acquire necessary right-of-way. MR. GOECKE felt that the only way to proceed would be for Triple Five Development to take the lead in working these issues out with the other five property owners, because the City does not have the necessary leverage, and it has already gone through required steps to build a four-lane road. The only way to accommodate Triple Five at this point would be to delay the bid opening date from 5/20/2004 to 6/1/2004. During the interim they could work out the issues with the other developers. MR. GOECKE noted that the City made commitments to different property owners in the area. One is to the Centennial Academy to put in infrastructure by the end of July 2004. So either Triple Five needs to come up with solutions by 6/1/2004, or the City must move forward with the four-lane bids to proceed and honor the commitments made.

COUNCILMAN MACK felt that Triple Five would build a beautiful showcase mall, but there were some issues that need resolution. He asked what would have happened if this proposal had come in three months from now, when construction had commenced on the four-lane parkway, or even later than that, when the four-lane road was completed. MR. GOECKE indicated that staff would insist on extending the road to six-lanes in order to accommodate a regional mall, even if the four-lanes were already in place. This property is a burden for Triple Five because there is no dedicated right-of-way. The additional land that has to be dedicated comes at a high price.

BERRY BENDER, representing Triple Five Development, appeared with DAVID GERMASIAN, owner of Triple Five Development. MR. BENDER indicated that discussions have been taking place with all the property owners in the area for several weeks regarding the impact of the mall and the revision associated with the SID. Triple Five Development is willing to pay for the difference in the SID, should it go forward, from four lanes to six lanes and acquire the right-of-way. Triple Five Development would also have to seek the concurrence of the affected property owners regarding any delays. At the meetings, Triple Five Development presented two options to the property owners: enter a new SID or modify the existing SID. The property owners preferred a modified SID, thus, allowing Triple Five Development to meet the requirements the City would impose. These requirements would include securing agreements, commitments, and satisfying existing obligations, such as the access to the school site. He noted that all the requirements could be met by the allotted timeline; therefore, he requested the Council's approval.

CITY COUNCIL MEETING OF MAY 5, 2004
Public Works
Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

ATTORNEY TOM AMICK, 3800 Howard Hughes Parkway, appeared on behalf of the Montecito Companies, which has been working very hard with the City for the past six years on this quadrant of Town Center. Completion of the Montecito Parkway, by the agreed to date in the development agreement, is integral to their plans. He presented pictures of the planned school for the area that is slated to open by the end of 2004. He pointed out that the Montecito Companies are not opposed to the mall, but it is a request that has come in too late and would change a roadway that everyone has relied upon to this point. He requested the Council require Triple Five representatives to meet and obtain approval of the Montecito Companies before approving any delay of the bid opening. MR. GERMASIAN indicated that he is willing to build a temporary access to the school within the next two weeks, if necessary, or to provide cash to the City so it could provide the temporary access so that the school could open on time.

RUSSELL SKUSE, representing Richmond American Homes, concurred with the concerns of ATTORNEY AMICK, particularly with the delays, because Richmond has already submitted plans to Express Check and is looking to start grading within the next two to three months. Also, he questioned how long the temporary access would be in place and whether it would accommodate the traffic with the intended homes that are to be built.

ROCHELLE WILSON, one of the founding board members for Centennial Academy, agreed with both ATTORNEY AMICK and MR. SKUSE regarding the delays. She impressed upon the Council that there are parents of 165 children who already paid deposits, with a minimum of two to three caregivers for each child who are depending and have already made lifestyle changes based upon Centennial Academy opening in September, based on the representations that were made long before the mall was proposed.

COUNCILMAN MACK stressed that he is aware of the various commitments that have been made. But he would like to allow two weeks to resolve the issues. He and MR. GERMASIAN have discussed performance bonuses if the timelines are met. He has also talked to MR. GOECKE and MR. KAJKOWSKI about requiring cash deposits, not bonds, because bonds can be litigated, to assure that the project will go forward. He would also like a site plan to see how the proposed mall would fit in with the other developments in the area. MR. GERMASIAN assured COUNCILMAN MACK that a site plan is available and that it would be made available to those interested in reviewing it.

CITY COUNCIL MEETING OF MAY 5, 2004
Public Works
Item 62 - Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 - Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway) - Ward 6 (Mack)

MINUTES – Continued:

With respect to the Centennial Academy, MR. GOECKE indicated that delaying the bid opening to 6/1/2004 would give the contractor a 40-day period to satisfy the requirement to provide paved access to the Academy. However, he requested a schedule from Triple Five Development showing the method to meet the obligations, financial assurance in the event the timelines could not be met, and affidavits from the affected property owners indicating that they are willing to dedicate the right-of-way, commit to the revised schedule, and hold the City harmless in the event situations arise that are beyond the City's control.

COUNCILMAN MACK asked if a certificate of occupancy could be issued with a temporary road in place. MR. GOECKE answered that staff would sign off on it, but the SID is not temporary.

COUNCILMAN BROWN remarked that even though the mall was not part of the existing planned development for the area, and there might be some hurdles to overcome, he sees this as an opportunity to bring in a project that would complement the surrounding development. He encouraged City staff and the surrounding developers to work with Triple Five Development to make the mall project successful. MR. GERMASIAN assured COUNCILMAN BROWN that the property owners have been as cooperative as possible and that he too is willing to do whatever necessary to accommodate the surrounding landowners. COUNCILMAN BROWN appreciated that, noting that there are landowners in the area that have taken tremendous risks and economic hits in maintaining the integrity of Town Center and the City has to make certain that their interests are protected.

(11:40 –12:06)

2-2427/3-1

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PUBLIC WORKS
ITEM DESCRIPTION: Discussion and possible action regarding the award or delay of a construction contract for Special Improvement District 1502 Grand Montecito Parkway (between Elkhorn Road and Centennial Parkway)

Recently representatives from the Triple Five Development Corporation have been discussing with staff their proposal to build a regional mall on a site located south of Elkhorn Road, west of US-95, north of Deer Springs Way and east of Grand Montecito Parkway. The representatives have asked the City to consider realigning Grand Montecito Parkway to accommodate their development plans. Grand Montecito Parkway is a Special Improvement District road project that is currently being advertised for bids. The bid opening date is May 20, 2004.

In order to consider their proposals and analyze the traffic impact, the Special Improvement District road project will need to be postponed. However, the City has a commitment to have paved access to Centennial Academy (school and day care center) by July 15, 2004 and to have the Special Improvement District road project completed by the end of the year. It is possible for everything to come together; however, the Triple Five Development Corporation needs to make certain commitments to the City.

City of Las Vegas

Agenda Item No. 63

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK
DIRECTOR: BARBARA JO (RONI) RONEMUS [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
BOARDS & COMMISSIONS:

ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Lolanda Bunch, Term Expiration 6-2007 (Resigned)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Each member of Council appoints one member subject to ratification by the Council with terms concurrent with the term of the appointing City Council member. All members of this board must be City residents and fill unexpired terms. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. Lolanda Bunch, Councilman Weekly's appointment, has resigned and it will be necessary to fill this unexpired term. This item was abeyed at the April 21, 2004 Council Meeting.

RECOMMENDATION:
Councilman Weekly to recommend his coterminous appointee, filling Ms. Bunch's unexpired term. The appointee must be a city resident, may be a licensed operator of a child care facility or may be a citizen member.

BACKUP DOCUMENTATION:
1. Resignation letter from Lolanda Bunch
2. Current Listing and Authority – Child Care Licensing Board
3. Submitted after final agenda – Board Interest Forms from Lilliane G. Brumwell and Tanya Ruddy

MOTION:
WEEKLY – ABEYANCE to 5/19/2004 – UNANIMOUS with GOODMAN abstaining because the Child Licensing Board has jurisdiction over the Meadows Preschool and Ward 2 seat vacant

MINUTES:
COUNCILMAN WEEKLY indicated that he would like to forward the two applications he received to JIM DiFIORE, Manager, Business Services, for review and recommendation.

(12:06 – 12:07)

Godsend Learning Center

1001 North Tonopah Drive
Las Vegas NV 89106
702-647-5712 Fax 702-647-4975

RECEIVED
CITY CLERK
2004 MAR 10 P 3:19

Attn: Wendy Smith

In Reference to:

Child Care Licensing Board

I Lolanda Bunch hereby give my resignation from the child care licensing board, and give up all other privileged duties in retrospect to this appointed position. On this 10th day of March 2004.

Cordially Yours,

Lolanda Bunch

RECEIVED
FINANCE AND
BUSINESS SERVICES
2004 MAR 10 P 2:38

CHILD CARE LICENSING BOARD

MEMBERS	ADDRESS	ZIP CODE	ORIGINAL APPT.	TERM EXPIRES
1) HAYES, MARY JANE * **(Brown appointment)**	2612 Ashby Avenue **(Ward 4)** **Licensed Operator of Child Care Facility Representative**	02	10-3-2001	6-2005
2) GRECO, STEVEN J.. **(L. B. McDonald appointment)**	1212 Enderly Lane **(Ward 2)**	44	10-29-2003	6-2005
3) CLODT, TERRY D. **(Mayor Goodman appointment)** **(Mayor Pro-Tem Reese appointed for Mayor Goodman)**	6936 Rosinwood St. **(Ward 6)**	31	12-17-2003	6-2007
4) SALM, MARYANNE **(Reese appointment)**	1047 East Oakey Blvd. **(Ward 3)**	04	6-18-2003	6-2007
5) PROUD, JULIE **(Moncrief's appointment)**	2509 Callita Court **(Ward 1)**	02	12-5-2001 **(Reappt. 7-2-2003)**	6-2007
~~6) BUNCH, LOLANDA~~ **(Weekly's appointment)** **RESIGNED**	~~3406 Hillside Garden Drive~~ **Licensed Operator of Child Care Facility Representative**	~~35~~	~~2-4-2004~~	~~6-2007~~
7.) JUNE GUNDERSON **(Mack's appointment)**	5409 Lucky Clover Street **(Ward 6)**	49	12-17-2003	6-2005

AUTHORITY: L.V.M.C. 6.24. **Created by Ord. #860, 8-10-60. Bill #92-7, Ord. 3631, 3-4-92, restructured board. Bill #2001-70, Ord. 5346, 8-1-01, financial disclosure statement. Bill #2003-77; Ord. 5635 First Amendment; expanded and defined membership and amended licensing provisions. Ord. 5664 further defined restrictions on membership concerning childcare licensees.**

MEMBERS: 7 MEMBERS appointed by the City Council, with each member of the Council making one appointment.

TERM: 4 years, with term to run concurrent with term of the elected official who made the appointment.

NOTES: **MUST BE CITY RESIDENT. MUST FILL UNEXPIRED TERMS IF APPROPRIATE. NO LIMIT TO NUMBER OF TERMS, WHICH MAY BE SERVED.**
(City Financial Disclosure no longer required due to adoption of Bill #2001-70, Ord. #5346, adopted 8-1-01. State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Boards no longer required to file State form.) (Council to give special consideration to the background of appointees - qualifications, ability, education, experience, training, profession or occupation, availability and willingness to serve, etc.)

RESTRICTION: ***No fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City, with an owner/operator who transfers or terminates ownership eligible to complete their term. The other four citizen members are not required to fill a specific category**

PURPOSE: Hears all applications for child care facility licenses and advises the City Council, and makes recommendations on amendments to the Child Care Chapter of the City Code.

MEETINGS: Meets second Wednesday of each month, 3:00 p.m., Council Chambers.

RECEIVED
CITY CLERK
2004 APR 29 P 4:19

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Liliane G. Brumwell

Home Street Address: 3229 Painted Shadow Way

City: LV ZIP Code: 89149

Work Street Address: 9900 Shiloh School Lane

City: LV ZIP Code: 89129

Employer: Challenger School Occupation: Director

Home Phone Number: 893-1277 Work Phone Number: 878-6415 x 2

Other Phone Number: 349-0310 Email Address: lbrumwell@challengersch

Please list the boards, commissions, or committees that you are interested in serving on:

Child Care Licensing Board

For office use only

CLV Y ✓ N ___

Ward 6

Date 4-29-04

Submitted after final agenda

Date 4/29/04 Item # 63

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

NA

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

See attached

Please list any of your relatives or friends that work for the entity in which you would be serving:

None known

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

CHALLENGER® SCHOOL

I am very much interested in being considered as a member of the Childcare Licensing Board. I have been a resident of the city of Las Vegas since October of 2000.

- I am the Director and Child care License holder for a center-based preschool
- I have been employed with my present employer for seven years
- I have my Child Development Associate Credential.

I am interested in becoming a member of the Childcare Licensing Board because I believe it provides a much-needed service for the community, which enhances the quality of childcare in the state. As a director of a preschool it is necessary for me to work with a variety of people, using my administrative skills as well as my communication and interpersonal skills effectively.

RECEIVED
CITY CLERK
2004 MAY -4 A 9:25

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: Tanya Ruddy

Home Street Address: 1231 Darmak Dr.

City: Las Vegas **ZIP Code:** 89102

Work Street Address: 324 E. Essex

City: Las Vegas **ZIP Code:** 89107

Employer: CCSD **Occupation:** Special Education Teacher

Home Phone Number: 877-9188 **Work Phone Number:** 799-4200

Other Phone Number: 379-3046 **Email Address:** _____

Please list the boards, commissions, or committees that you are interested in serving on:

The Child Care Licensing Board

For office use only
CLV (Y) N
Ward 1
Date 5.4.04

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

N/A

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

Currently, I have a degree in Special Education, and I am working on a Masters in General Education.

Please list any of your relatives or friends that work for the entity in which you would be serving: N/A

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

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City of Las Vegas

Agenda Item No. 64

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK
DIRECTOR: BARBARA JO (RONI) RONEMUS [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
BOARDS & COMMISSIONS:

CLARK COUNTY DISTRICT BOARD OF HEALTH – Sherry Colquitt, Term Expiration 5-15-2004

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This Board is governed by NRS 439.390 and LVMC 2.36 stipulating that the District Board of Health shall consist of two members from each participating entity, with one member to be an elected official. Currently, Sherry Colquitt and Councilman Reese serve as the City's two representatives on this Board. Members appointed to this Board serve two-year terms. There is no City residency requirement, nor is there a limit to the number of terms which may be served. Ms. Colquitt is eligible and wishes to be reappointed if the Council so desires.

RECOMMENDATION:
Procedure for this Board requires appointment by the City Council. Options are to reappoint Ms. Colquitt or appoint a new member to fill this seat.

BACKUP DOCUMENTATION:
Current listing and Authority - Clark County District Board of Health

MOTION:
REESE – ABEYANCE to 5/19/2004 – UNANIMOUS with BROWN not voting and Ward 2 seat vacant

MINUTES:
COUNCILMAN REESE mentioned that he has not spoken with MS. COLQUITT about reappointment.

(12:07 – 12:08)

6-20-2003

CLARK COUNTY DISTRICT BOARD OF HEALTH

	MEMBER	ADDRESS	ZIP CODE	DATE APPT.	TERM EXP.
1.	REESE, GARY (City Councilman)	400 Stewart Ave.	89101	6-21-1995 **(Reap. 6-18-2003)**	6-2005
2.	COLQUITT, SHERRY (Reese's recom.)	8801 Lusso Court **(Ward 2)**	89134	4-15-1992	5-15-2004

Authority: NRS 439.390 & LVMC 2.36

Term: 2 years.

Appointees: Two members to be appointed by the City Council.
(One member is to be a Council member.)

Notes: No limit to number of terms which may be served.
Citizen appointee does not have to reside in the City.
No financial disclosure requirement for this board.

Dr. Donald Kwalick
Chief Health Officer
Clark County Health Department
625 Shadow Lane
Las Vegas NV 89106

City of Las Vegas

Agenda Item No. 65

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-23 – Annexation No. ANX-3835 – Property location: On the northeast corner of Cartier Avenue and Maverick Street; Petitioned by: Saint Mary Coptic Orthodox Church; Acreage: 2.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
The proposed ordinance annexes certain real property generally located on the northeast corner of Cartier Avenue and Maverick Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 14, 2004) is set by this ordinance.

NOTE: The property is developed with a church.

RECOMMENDATION:
ADOPTION at 5/5/2004 City Council meeting pursuant to the 4/19/2004 Recommending Committee.

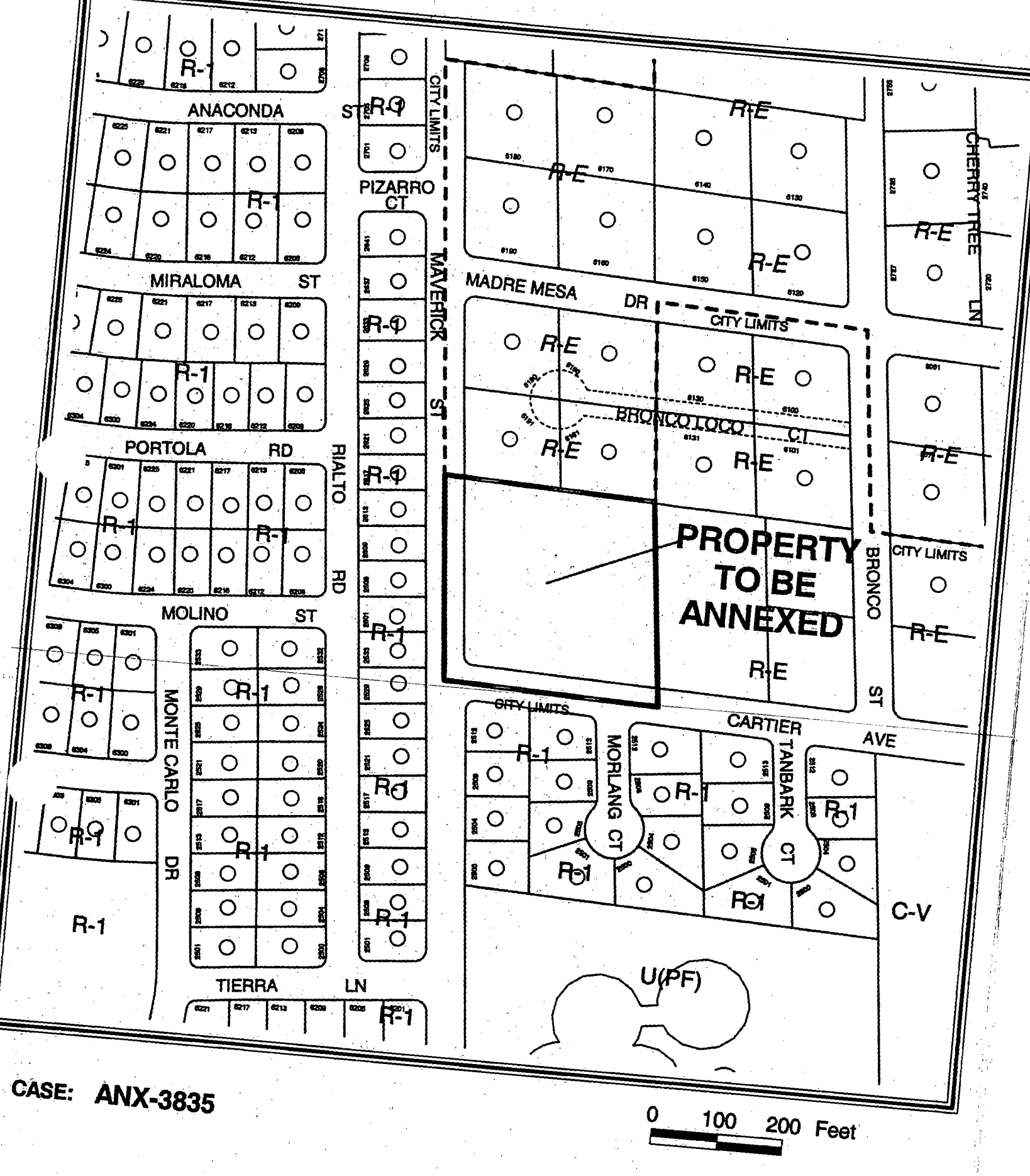
First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:
Bill No. 2004-23 and Location Map

MOTION:
WEEKLY – Second Reading and Bill ADOPTED as recommended as Ordinance No. 5692 – UNANIMOUS with BROWN not voting and Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:
There was no discussion.



CASE: ANX-3835

0 100 200 Feet

N

City of Las Vegas

Agenda Item No. 66

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-24 – Annexation No. ANX-3871 – Property location: On the southwest corner of Buffalo Drive and Iron Mountain Road; Petitioned by: CCM Trust; Acreage: 10.75 acres; Zoned: R-E (County zoning), U (R-E) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
The proposed ordinance annexes certain real property generally located on the southwest corner of Buffalo Drive and Iron Mountain Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 14, 2004) is set by this ordinance.

RECOMMENDATION:
ADOPTION at 5/5/2004 City Council meeting as a First Amendment pursuant to the 4/19/2004 Recommending Committee.

First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:
Bill No. 2004-24 and Location Map - First Amendment

MOTION:
WEEKLY – Second Reading and Bill ADOPTED as a First Amendment as Ordinance No. 5693 – UNANIMOUS with MACK not voting and Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:
There was no discussion.

(12:08 – 12:09)

City of Las Vegas

Agenda Item No. 67

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-26 – Establishes the "Las Vegas Boulevard Scenic Byway Overlay District," together with related regulations governing signage. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
This bill will create a zoning overlay district to correspond to the State designation of a portion of Las Vegas Boulevard as a "scenic byway." The overlay district will establish requirements and prohibitions to ensure that signage within the district is compatible with the designation.

RECOMMENDATION:
ADOPTION at 5/5/2004 City Council meeting pursuant to the 4/19/2004 Recommending Committee.

First Reading – 4/7/2004; First Publication – 4/23/2004

BACKUP DOCUMENTATION:
Bill No. 2004-26

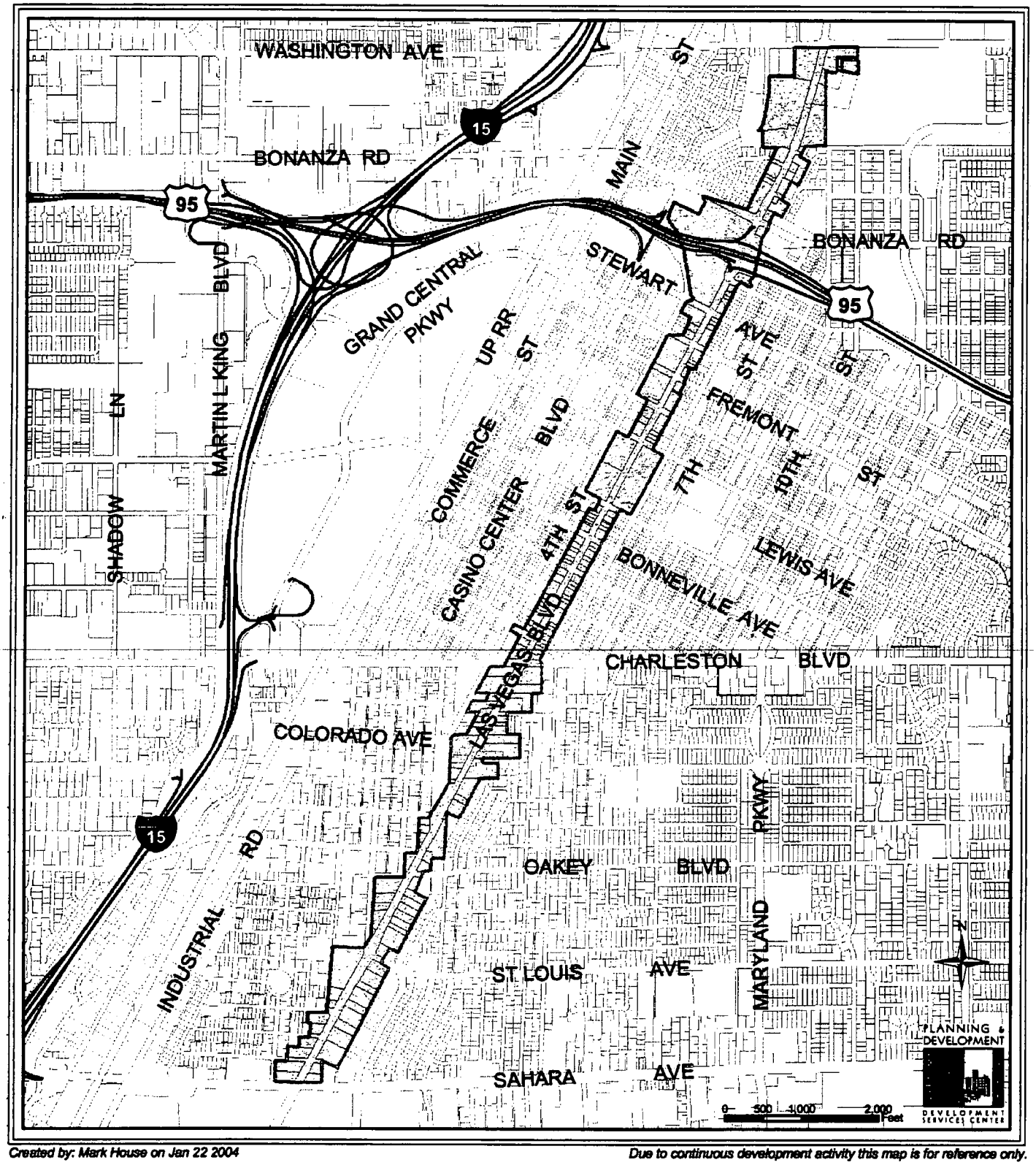
MOTION:
WEEKLY – Second Reading and Bill ADOPTED as recommended as Ordinance No. 5694 – UNANIMOUS with MACK not voting and Ward 2 seat vacant

Clerk to proceed with second publication.

MINUTES:
There was no discussion.

(12:09 – 12:10)

SCENIC BYWAY OVERLAY DISTRICT



Created by: Mark House on Jan 22 2004

Due to continuous development activity this map is for reference only.

SCENIC BYWAY CORRIDOR

City of Las Vegas

Agenda Item No. 68

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-30 – Requires merchants to make certain disclosures in connection with the sale of motorized scooters and motorized skateboards. Sponsored by: Councilman Michael Mack

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Motorized scooters and motorized skateboards are subject to State laws that govern operator licensing and minimum vehicle equipment. A significant number of these scooters and skateboards are being operated on City streets in violation of State law, and it appears that many who purchase these items are not made aware of the restrictions. This bill will require merchants to disclose this information in connection with the sale of motorized scooters and motorized skateboards.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 69

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-31 – Prohibits the breeding or training of animals for the purpose of using them in an animal fighting venture. Sponsored by: Councilman Michael Mack

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
State and local laws currently prohibit certain acts to promote or facilitate fights between animals. This bill go a step further and prohibit the breeding or training of animals for the purpose of using them in an animal fighting venture.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 70

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-32 – Ordinance Creating Special Improvement District No. 607 - Cliff's Edge.
Sponsored By: Step Requirement

Fiscal Impact

[ ]	**No Impact**	**Amount:** $51,187,785
[ ]	**Budget Funds Available**	**Dept./Division:** Public Works/SID
[X]	**Augmentation Required**	**Funding Source:** Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:
Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 71

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-33 – Levies Assessments for Special Improvement District No. 607 - Cliff's Edge. Sponsored By: Step Requirement

Fiscal Impact

[ ]	**No Impact**	**Amount:** $51,187,785
[X]	**Budget Funds Available**	**Dept./Division:** Public Works/SID
[ ]	**Augmentation Required**	**Funding Source:** Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:
Acquisition, construction and installation of street, sanitary sewer, storm sewer/drainage improvements, and water main projects. Costs will be recovered over a 20 year period through the levy and collection of special assessments.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 72

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-34 – Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance FY2005). Sponsored by: Step Requirement

Fiscal Impact

[ ]	**No Impact**	**Amount:** $41,902.50
[X]	**Budget Funds Available**	**Dept./Division:** Public Works/SID
[ ]	**Augmentation Required**	**Funding Source:** Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:
Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July, 2004 through June, 2005.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 73

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-35 – Authorizing the issuance of Local Improvement Bonds, Series 2004 for the City of Las Vegas, Nevada Special Improvement District No. 607 Cliff's Edge not to exceed $51,185,000. - Ward 6 (Mack)

Fiscal Impact

[X] **No Impact**	**Amount:** $51,185,000
[ ] **Budget Funds Available**	**Dept./Division:** Cliff's Edge Agency Fund
[ ] **Augmentation Required**	**Funding Source:** SID assessments in district 607

PURPOSE/BACKGROUND:
The bonds are being issued by the City pursuant to the Nevada Consolidated Local Improvement Law (NRS 271) in order to finance the acquisition of certain public improvements for property located in the City's Special Improvement District No. 607 pursuant to the District Financing Agreement between the developer (Cliffs Edge) and the City. The bonds do not constitute a debt of the City.

RECOMMENDATION:
ADOPTION at 5/19/2004 City Council meeting as First Amendment pursuant to the 5/3/2004 Recommending Committee.

First Reading – 4/21/2004; First Publication – 5/7/2004

BACKUP DOCUMENTATION:
None

MOTION:
None required.

MINUTES:
Recommendation noted.

5/19/2004 Council Agenda

City of Las Vegas

Agenda Item No. 74

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2004-36 – An ordinance amending Ordinance No. 5533 authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, and providing other matters relating thereto - Ward 5 (Weekly)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
Because the parking garage originally planned for this bond issue is now no longer feasible, the City has changed the use of the proceeds to the construction of a second tower for the City Hall campus. Additionally, the pledged source for repayment has been changed from the parking enterprise fund to consolidated tax. We obtained approval from the Clark County Debt Management Commission on December 5, 2003 and a consent has been issued by the insurer of the bonds.

RECOMMENDATION:
This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2004-36

MOTION:
None required. A presentation was made.

MINUTES:
First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee
5/19/2004 Council Agenda

(12:10 – 12:11)

Summary - An ordinance amending Ordinance No. 5533 authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, and providing other matters relating thereto.

BILL NO. 2004-36
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA AMENDING ORDINANCE NO. 5533 AUTHORIZING THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) PARKING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002A; 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 CERTAIN NET REVENUES; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

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 ("Council") of the City issued the City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A on December 4, 2002 (the "Bonds") pursuant to Ordinance No. 5533 adopted by the City Council on November 6, 2002 (the "2002 Ordinance"); and

WHEREAS, as issued, the Bonds were additionally secured by a pledge of a portion of the City's parking revenues, including the revenues of the project being financed with the Bonds and the City now desires to amend the 2002 Ordinance to provide for pledged revenues comprised of 15% of the City's revenues received and allowed to be pledged pursuant to § 377.080 of NRS (the

"Net Revenues") and to provide for the use of the proceeds of the Bonds for the cost of acquiring, constructing, reconstructing, improving and equipping building projects in the City as defined in NRS 268.676 (the "Project") ; and

WHEREAS, pursuant to NRS 350.011 to 350.0165, inclusive, as amended, the City has submitted to the Debt Management Commission of Clark County (the "Commission") the City's proposal to amend the Net Revenues for the 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 90 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 . . . 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 the Net 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 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 "2003 Resolution of Intent to Amend the 2002A Bonds" notice of adoption of that resolution of intent 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 since no petition in conformity with NRS 350.020(3) requesting an election on the bonds is presented to the Council within 90 days of publication of the notice of intent to amend provisions relating to the Bonds, this Ordinance shall become effective upon publication as provided herein and the officers and employees of the City will proceed with the amendment to the provisions relating to the Bonds as set forth herein; and

WHEREAS, the Council has determined and hereby declares:

A. It is necessary and for the best interests of the City to amend certain provisions relating to the Bonds; and

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

WHEREAS, Section 56 of the 2002 Ordinance provides that the 2002 Ordinance may be amended or supplemented by instruments adopted by the City, without receipt by the City of any additional consideration, but with the written consent of the insurer of the Bonds (i.e. MBIA Insurance Corporation); and

WHEREAS, this Ordinance amending the 2002 Ordinance shall be known and may be cited as the "Amendment Ordinance" and together with the 2002 Ordinance, shall be known and may be cited herein as the "Ordinance"; and

WHEREAS, Section 2.100(3) of the Charter provides that any ordinance which amends an existing ordinance must set out in full the ordinance which are to be amended and indicate the matter to be omitted by enclosing it in brackets and any new matter by underscoring it and as such, this Amendment Ordinance shall set out matter to be omitted in brackets and new matter by underscoring.

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

Section 1. Sections 1 through 59 of the 2002 Ordinance are hereby amended and restated in full as set forth below this Section 1 of this Amendment Ordinance (with omitted matter in brackets and new matter indicated by underscoring):

SECTION 1. Short Title. This Ordinance shall be known and may be cited as the "2002A [Parking] Bond Ordinance."

SECTION 2. Definitions. The terms in this section and in the preambles hereof 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 in this section and in said preambles specified:

"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 Parity Securities to be paid during any Bond Year, but excluding any reserve requirements to secure such payments unless otherwise expressly provided and excluding any amount payable from capitalized interest. In calculating this amount, the principal amount of bonds required to be redeemed prior to maturity pursuant to a mandatory redemption schedule contained in the ordinance or other instrument authorizing the issuance of such bonds shall be treated as maturing in the Bond Year in which such bonds are so required to be redeemed, rather than in the Bond Year in which the stated maturity of such bonds occurs.

"Bond Requirements" means the principal of, interest on and any prior redemption premiums due in connection with the Bonds.

"Bond Year" means the 12 month period commencing on the second day of the month of the date of delivery of the Bonds of a calendar year and ending on first day of the month of the date of delivery of the Bonds of the following calendar year.

"combined maximum annual principal and interest requirements" means the greatest of the annual principal and interest

requirements to be paid during any Bond Year for the period beginning with the Bond Year in which such computation is made and ending with the Bond Year in which any bond last becomes due at maturity or on a Redemption Date on which any bond thereafter maturing is called for prior redemption. If any outstanding bonds are subject to variable interest rates, for the purpose of such computation, such interest rates shall be estimated by an Independent Accountant, an independent feasibility consultant or the Finance Director and the rate so estimated shall be used for the purpose of such computation. Any such computation shall be adjusted as provided in § 46C hereof, and shall be made by an Independent Accountant, an independent feasibility consultant or the Finance Director if expressly so required.

"Commercial Bank" means a state or national bank or trust company which is a member of the Federal Deposit Insurance Corporation, including without limitation "trust bank" as herein defined.

"Cost of the Project," or any phrase of similar import, means all or any part designated by the Council of the cost of the Project which cost, at the option of the Council (except as limited by law), may include all or any part of the incidental costs pertaining to the Project, including, without limitation:

(i) Preliminary expenses advanced by the City from funds available for use therefor or any other source, so including any interfund loan of the City, or advanced with the approval of the City from funds available therefor or from any other source, or any combination thereof;

(ii) The costs in the making of surveys, audits, preliminary plans, other plans, specifications, estimates or costs, and other preliminaries;

(iii) The costs of premiums for builders risk insurance and performance bonds, or a reasonable allocable share thereof;

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

(v) 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 Bonds pertaining to the Project, the purchase or other acquisition of Federal Securities or other investments in connection therewith, and bank fees and other expenses;

(vi) The costs of contingencies;

(vii) The costs of the capitalization with the proceeds of the Bonds of any interest on the Bonds for any period not exceeding the period of time estimated by the Council to effect the Project plus one year, and of any discount on the Bonds, of any replacement expenses (except as proscribed by law), and of any other cost of the issuance of the Bonds; and

(viii) All other expenses necessary or desirable and pertaining to the Project including all other expenses as estimated or otherwise ascertained by the Council.

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

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

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

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

["Gross Revenues" means all income and revenues derived directly or indirectly by the City from the operation and use and otherwise pertaining to the Parking Facilities consisting of, without limitation, rates, charges and fees from

meters, permits and rentals associated with the Parking Facilities and all properties operated as Parking Facilities, real, personal, mixed or otherwise, now owned or hereafter acquired by the City, through purchase, construction or otherwise, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, and appurtenant machinery, apparatus, structures, and buildings, and related or appurtenant fixtures and other equipment or any combination thereof or any part thereof, excluding:

(a) any moneys borrowed and used for the acquisition of capital improvements; and

(b) any moneys received as grants, appropriations, or gifts from the United States, the State, or other sources, the use of which is limited by the grantor or donor to the construction of capital improvements for the Parking Facilities,

except to the extent any such moneys shall be received as payments for the use of the Parking Facilities. "Gross Revenues" shall also include all income or other gain from the investment of such income and revenues and of the proceeds of securities payable from Gross Revenues or Net Revenues.]

"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.

"Net Revenues" **or "Pledged Revenues"** means [the Gross Revenues remaining after the deduction of Operation and Maintenance Expenses] **a 15%**

portion of all income and revenue derived by the City from the Pledged Distributed Local Tax Act and distributed thereto pursuant to NRS 377.080. The Net Revenues means all or a portion of the Net 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. "Net Revenues" includes income derived from any additional sources if the Council is authorized to include and elects to include the additional sources in "Net Revenues" for the remaining term of the Bonds.

["Operation and Maintenance Expenses" means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the Parking Facilities, including, without limitation:

A. engineering, auditing, reporting, legal and other overhead expenses relating to the administration, operation and maintenance of the Parking Facilities;

B. fidelity bond and property and liability insurance premiums pertaining to the Parking Facilities or a reasonably allocable share of a premium of any blanket bond or policy pertaining to the Parking Facilities;

C. payments to pension, retirement, health and hospitalization funds, and other insurance and to any self-insurance fund as insurance premiums not in excess of such premiums which would otherwise be required for such insurance;

D. any general taxes, assessments, excise taxes or other charges which may be lawfully imposed upon the City, the Parking Facilities, revenues therefrom or the City's income from or operations of any properties under its control and pertaining to the Parking Facilities, or any privilege in connection with the Parking Facilities or its operations;

E. the reasonable charges of any Paying Agent or Registrar and any other depository bank pertaining to the Bonds or any other securities payable from Gross Revenues or otherwise pertaining to the Parking Facilities;

F. contractual services, professional services, salaries, other administrative expenses and costs of materials, supplies, repairs and labor pertaining

to the Parking Facilities or to the issuance of the Bonds as herein defined, or any other securities relating to the Parking Facilities, including, without limitation, the expenses and compensation of any receiver or other fiduciary under the Bond Act;

G. the costs incurred by the City Council in the collection and any refunds of all or any part of Gross Revenues;

H. any costs of utility services furnished to the Parking Facilities;

I. any lawful refunds of any Gross Revenues; and

J. all other administrative, general and commercial expenses pertaining to the Parking Facilities including, without limitation, any payments of arbitrage rebate to the United States required by Section 148 of the Tax Code;

but excluding:

(i) any allowance for depreciation;

(ii) any costs of extensions, enlargements, betterments and other improvements, or any combination thereof;

(iii) any reserves for major capital replacements, other than normal repairs;

(iv) any reserves for operation, maintenance or repair of the Parking Facilities;

(v) any allowance for the redemption of any Bond or other security or the payment of any interest thereon or any prior redemption premium due in connection therewith;

(vi) any liabilities incurred in the acquisition or improvement of any properties comprising any project or any existing facilities, or any combination thereof, pertaining to the Parking Facilities, or otherwise; and

(vii) any liabilities imposed on the City for any legal liability not based on contract, including, without limitation, negligence in the operation of the Parking Facilities.]

"Outstanding" when used with reference to the Bonds or any other designated securities payable from Net Revenues and as of any particular date means

all of the Bonds in any manner theretofore and thereupon being executed and delivered:

A. Except any bond or other security canceled by the City, the Registrar, Paying Agent, or otherwise on the City's behalf, at or before such date;

B. Except any bond or other security for the payment or the redemption of which moneys at least equal to its Bond Requirements to the date of maturity or to any applicable Redemption Date shall have heretofore been deposited with a trust bank in escrow or in trust for that purpose, as provided in Section 55 hereof; and

C. 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.

"Parity Securities" means securities of the City [pertaining to the Parking Facilities and] payable from and secured by Net Revenues on a parity with the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof, **including the Outstanding "City of Las Vegas, Nevada, General Obligation (Limited Tax) Various Purpose Bonds (Additionally Secured with Pledged Revenues), Series 1997B" (the "1997 Bonds"), the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Redevelopment Projects Bonds (Additionally Secured by Pledged Revenues), Series November 1, 1998A" (the "1998A Bonds"), the (Additionally Secured by Pledged Revenues), Series November 1, 1998B" (the "1998B Bonds"), the "City of Las Vegas, Nevada General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series October 1, 1999" (the "1999 Bonds") and the "City of Las Vegas, Nevada General Obligation (Limited Tax) Redevelopment Projects Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2003A" (the "2003A Bonds")**.

["Parking Facilities" means facilities for the parking of motor vehicles, including the Project and including, without limitation, graded, regraded, graveled, oiled, surfaced, macadamized, paved, curbed, guttered, drained and sidewalked sites

therefor, driveways, ramps, structures, buildings, elevators and traffic control equipment (or any combination thereof).]

"Paying Agent" means the Treasurer of the City or any successor thereto as paying agent for the Bonds appointed by the City Council.

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

"Pledged Distributed Local Tax Act" means, collectively, NRS Chapter 377.080, and each Act which authorizes or imposes one or more of the taxes or other impositions that generate revenues distributed to the City pursuant to NRS 360.680, 360.690 or 360.700 and authorized to be pledged to the Bonds by NRS 377.080, as amended from time to time.

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

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

"Registrar" means the Treasurer of the City or any successor thereto as registrar for the Bonds appointed by the City Council.

"Subordinate Securities" means securities of the City [pertaining to the Parking Facilities and] payable from and secured by Net Revenues subordinate and junior to the pledge thereof to the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Superior Securities" means [the agreement between the City and the City of Las Vegas Redevelopment Agency (the "Agency") pledging the Gross Revenues to the Agency's Tax Increment Revenue Bonds and] securities of the City [pertaining to the Parking Facilities and] payable from and secured solely by Net Revenues superior to the pledge thereof of the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Tax Code" means the Internal Revenue Code of 1986, as amended to the date of delivery of the Bonds, and the applicable regulations and rulings thereunder.

Other capitalized terms used herein shall have the meanings given to such terms in the text hereof, except where the context by clear implication otherwise requires.

SECTION 3. Ratification. All action heretofore taken by the Council and the officers of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds, not inconsistent with the terms and conditions herewith, is hereby ratified, approved and confirmed.

SECTION 4. Estimated Life of Facilities. The Council, on behalf of the City, has determined and does hereby declare:

A. The estimated life or estimated period of usefulness of the improvements acquired with the proceeds of the Bonds is not less than 30 years from the date of their issuance; and

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

SECTION 5. Necessity of Project and Bonds. It is necessary and in the best interests of the Council, its officers, and the inhabitants of the City, that the City effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

SECTION 6. Bid From Financial Advisor; Authorization of Project. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to

receiving a bid on the Bonds from Zions Bank, and this consent shall constitute a written agreement required by NRS 350.810. The Council hereby authorizes the Project.

SECTION 7. Ordinance to Constitute Contract. In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

SECTION 8. Bonds Equally Secured. The covenants and agreements herein set forth to be performed 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 except as otherwise expressly provided in or pursuant to this Ordinance.

SECTION 9. General Obligations. All of the Bonds, as to the Bond Requirements, shall constitute general obligations of the City, which hereby pledges its full faith and credit for their payment. So far as possible, Bond Requirements shall be paid from Net Revenues [of the Parking Facilities] (the "Pledged Revenues"). However, the Bonds as to all Bond Requirements shall also be payable from general (ad valorem) taxes (the "General Taxes") (except to the extent that other moneys such as Net Revenues are available therefor) as herein provided.

SECTION 10. Limitations upon Security. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 11. 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

Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council 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 the Bonds and as a part of the consideration of its issuance specially waived and released.

SECTION 12. Authorization and Sale of Bonds. For the purpose of providing funds to pay all or a portion of the Cost of the Project, the City shall issue its "City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A", in the aggregate principal amount designated in the Certificate of the Finance Director (not to exceed $25,000,000). The Bonds shall be sold to the Purchaser designated in the Certificate of the Finance Director, and the City Finance Director is authorized to execute the Bond Purchase Proposal in accordance with the provisions of NRS 350.105 to 350.185, inclusive, and in accordance with the provisions of this Ordinance.

SECTION 13. Bond Details. The Bonds shall be issued in fully registered form, i.e., registered as to both principal and interest. The Bonds shall be dated initially as of the first day of the month of the date of their delivery, and except as otherwise provided in Section 18 hereof, shall be issued in denominations of $5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on any maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall be numbered from 1 upward. The Bonds shall bear interest (calculated on the basis on a 360-day year of twelve 30-day months) from their date until their respective maturity dates (or, if redeemed prior to maturity as provided below, their redemption dates) at the respective rates set forth in the Certificate of the Finance Director, payable on June 1, and December 1, of each year commencing on June 1, 2003; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth below from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid,

from the date of the Bonds. The Bonds shall mature on the dates and in the amounts set forth in the Certificate of the Finance Director (not to exceed 30 years from the date of issuance of the Bonds).

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 Treasurer of the City, in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity or prior redemption thereof and upon presentation and surrender at the office of the Treasurer of the City, in Las Vegas, Nevada, as paying agent for the Bonds (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 said Bond until the principal thereof is paid in full. Except as otherwise provided in Section 18 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 as of the close of business on the 15th day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration records of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date shall be fixed by the Paying Agent whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of 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 to 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 without deduction for any service charges of the Paying Agent or Registrar.

SECTION 14. Prior Redemption; Partial Redemption.

A. Optional Redemption or Prepayment. Bonds, or portions thereof ($5,000 or any integral multiple), maturing on and after the date specified in the Certificate of the Finance Director, shall be subject to redemption prior to their respective maturities, at the option of the City, at any time on and after the date specified in the Certificate of the Finance Director, in whole or in part from any maturities selected by the City and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than $5,000), at a price equal to the principal amount of each bond, or portion thereof, so redeemed, accrued interest thereon to the redemption date, and a premium, if any, as provided in the Certificate of the Finance Director.

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

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for

redemption (by lot or in such other manner as the Registrar may determine) from all Outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in Section 15 of this Ordinance.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof ($5,000 or any integral multiple thereof) which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the respective Term Bonds or portions thereof to be canceled or in the event the Bonds are registered in the name of Cede & Co. as provided in Section 18 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in a denomination larger than $5,000, a portion of such Bond ($5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, except as otherwise provided in Section

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

SECTION 15. Notice of Redemption. Unless waived by any owner of Bonds to be redeemed for purchase, official notice of any such redemption shall be given by the Registrar, on behalf of the City, by mailing a copy of an official redemption notice by registered or certified mail so long as Cede & Co. is the registered owner of the Bonds and the Municipal Securities Rulemaking Board ("MSRB") and otherwise by first class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such registered owner to the Registrar. Actual receipt of mailed notice by any owner of Bonds or the MSRB shall not be a condition precedent to redemption of such Bond or Bonds. Failure to give such notice to the MSRB or the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. A certificate by the Registrar that such notice has been given as herein provided shall be conclusive against all parties.

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

(1) the redemption date,

(2) the purchase prices,

(3) the identification by maturity (and, in the case of partial redemption of a maturity, other appropriate identification) of the Bonds to be redeemed,

(4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and

(5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent (accrued interest to the redemption date being payable by mail or as otherwise provided in this Ordinance).

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

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

SECTION 16. Negotiability. The Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

SECTION 17. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in Section 18 hereof:

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender 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 owner or his or her 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 Section 13 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the 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 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 a new Bond. No such charge shall be levied in the case of an exchange resulting from an optional prior redemption of a Bond.

B. 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 fifteen (15) days before the date of mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the date of such mailing, or (ii) any Bond, or any portion thereof, after the mailing of such notice as herein provided.

C. The person in whose name any Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes (except to the extent otherwise provided in Section 13 hereof with respect to interest payments); 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 owner thereof or his or her legal representative. 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. 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 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. 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 Council, upon request.

SECTION 18. Custodial Deposit.

A. Notwithstanding the foregoing provisions of Sections 13 to 17 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 or, in the case of the Bonds subject to mandatory sinking fund redemption, the Bonds shall initially be evidenced by one Bond for each term in denominations equal to the aggregate principal amount of the Bonds maturing in that term. 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 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;

(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 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 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 or, in the case of the Bonds subject to mandatory sinking fund redemption, for each term 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 Section 13 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 or notices to 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 19. Execution and Authentication.

A. Prior to the execution of any Bonds by facsimile signature and pursuant to § 350.638, Bond Act, to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as Chapter 351, NRS, and to the Supplemental Bond Act, the Mayor of the City (the "Mayor"), the City Treasurer (the "Treasurer") and the City Clerk (the "Clerk") shall each file with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be countersigned and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

C. 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. By authenticating any of the Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

D. The Mayor, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

SECTION 20. Incontestable Recital. Pursuant to § 350.628 of the Bond Act, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

SECTION 21. 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 22. Bond Form. Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this

Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

CITY OF LAS VEGAS, NEVADA
GENERAL OBLIGATION (LIMITED TAX) PARKING BONDS
(ADDITIONALLY SECURED BY PLEDGED REVENUES)
SERIES 2002A

No. _____ $_____

Interest Rate	Maturity Date	Dated As of	CUSIP
__% per annum	_____ 1, ___	_____ 1, 2002	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:DOLLARS

The City of Las Vegas, Nevada, in Clark County, in the State of Nevada (the "City", "County", and the "State", respectively) for value received, hereby acknowledges itself to be indebted and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above (unless called for earlier redemption), and to pay interest thereon on June 1 and December 1 of each year, commencing on June 1, 2003, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for or, if such payment date is not a business day, on the next succeeding business day. This bond shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of the initial delivery of the series of bonds of which this bond is one (the "Bond"). The principal of and redemption premium, if any, on this Bond are payable 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, in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such 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 or any predecessor bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close

of business on the 15th 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 as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record Date shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the Ordinance of the City Council of the City (the "Council") authorizing the issuance of the Bonds and designated in Section 1 thereof as the "2002 Parking Bond Ordinance" (the "Ordinance"), duly adopted by the Council on November 6, 2002, **as amended by an ordinance adopted on _____, 2004**. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar. If this Bond is not paid upon presentation at its maturity, interest at the rate specified above shall continue to be borne hereby until the principal hereof is discharged as provided in the Ordinance.

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of acquiring, constructing, reconstructing, improving and equipping a building project in the City as defined in NRS 268.676, including without limitation, a building to accommodate offstreet parking project as defined in NRS 268.698 (the "Project"), under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); pursuant to Nevada Revised Statutes ("NRS") §§ 350.500 through 350.720, and all laws amendatory thereof designated in § 350.500 thereof as the Local Government Securities Law (the "Bond Act"); pursuant to NRS § 350.105 to 350.195, inclusive; pursuant to NRS chapter 348 (the "Supplemental Bond Law"); and pursuant to NRS §§ 268.672 through 268.740, inclusive (the "City Bond Law"); pursuant to § 350.628 of the Bond Act, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to § 350.710 of the 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.

[The Bonds, or portions thereof, maturing on and after _____ 1, 20__, are subject to redemption prior to their respective maturities, at the option of the City, on and after _____ 1, 20__, in whole or in part at any time from any maturity or maturities selected by the Council and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than $5,000), at a price equal to the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date.]

Redemption shall be made upon not less than 30 days' prior mailed notice in the manner and upon the conditions provided in the Ordinance. If this Bond is called for redemption and payment is duly provided for as specified in the Ordinance, interest shall cease to accrue hereon from and after the date fixed for redemption.

Certain of the Bonds shall be subject to mandatory sinking fund redemption.

It is hereby 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 the total indebtedness of the City, including that of this Bond does not exceed any limit of indebtedness prescribed by the Constitution or by the laws of the State or the Charter of the City; that provision has been made for the levy and collection of annual general (ad valorem) taxes ("General Taxes") against all the taxable property within the City sufficient to pay the principal of, interest on, and any prior redemption premiums due on this Bond (the "Bond Requirements") when the same become due (except to the extent other revenues are available therefor), subject to the limitations imposed by the Constitution and by the statutes of the State; and that the full faith and credit of the City are hereby irrevocably pledged to the punctual payment of Bond Requirements of this Bond according to its terms.

Payment of the principal of and interest on the Bonds are additionally secured by a pledge of the net revenues (herein called the "Net Revenues") [derived by the City from the operation and use of, and otherwise pertaining to, the City's Parking Facilities, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City, through purchase, construction or otherwise, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, and appurtenant machinery, apparatus, structures, and buildings, and related or appurtenant furniture, fixtures and other equipment or any combination thereof (herein called the "Parking Facilities"), but excluding (1) moneys raised for capital improvements, and (2) grants, appropriations or gifts for limited uses, and after provision is made for the payment of all necessary and reasonable operation and maintenance expenses of the Parking Facilities], which Net Revenues are so pledged as more specifically provided in the Ordinance.

The Bonds are equally and ratably secured by such pledge of the Net Revenues, and such pledge constitutes an irrevocable first lien (but not necessarily an exclusively first lien) upon the Net Revenues. Additional securities may be issued and made payable from the Net Revenues [of the Parking Facilities] and having a lien thereon superior to, subordinate to or on a parity with such pledge, in each case subject to the conditions of and in accordance with the Ordinance.

Reference is made to the Ordinance and to the Bond Act, for an additional description of the nature and extent of the security for the Bonds, the accounts, funds, or revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the registered owners of the Bonds with respect thereto, the terms and conditions upon which the Bonds are issued, and a statement of rights, duties, immunities, and obligations of the City, and other rights and remedies of the owners of the Bonds.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be amended or otherwise modified by action of the City taken in the manner and subject to the conditions and exceptions prescribed in the Ordinance. The pledge of Net Revenues under the Ordinance may be discharged at or prior to the respective maturities or prior redemption of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Ordinance.

This Bond shall not be entitled to any benefit under the Ordinance, or be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

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 payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest.

The Bonds shall not be transferable or exchangeable except as set forth in the Ordinance. Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the District or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co., (or in such other name as is requested by an authorized representative of DTC) 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.

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

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 or her attorney duly authorized in writing.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Council, or any officer or other agent of the City, past, present, or future, either directly or indirectly through the Council 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.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, in the County of Clark and State of Nevada has caused this Bond to be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor, to be attested, signed and executed with a manual or facsimile signature of the City Clerk, has caused a manual or facsimile impression of the seal of the City to be affixed hereon, and has caused this Bond to be countersigned with the manual or facsimile signature of the City Treasurer, all as of _____ 1, 2002.

CITY OF LAS VEGAS, NEVADA

By (Manual or Facsimile Signature)
Mayor
Las Vegas, Nevada

Countersigned:

By (Manual or Facsimile Signature)
City Treasurer
Las Vegas, Nevada

(MANUAL OR FACSIMILE CITY SEAL)

Attest:

(Manual or Facsimile Signature)
City Clerk
Las Vegas, Nevada

* Insert only if Certificate of Finance Director designates any of the Bonds as Term Bonds.

(End of Form of Bond)

(Form of Registrar's 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
or Employee

(End of Form of Registrar's Certificate of Authentication for Bonds)

[Insert Insurance Statement if applicable]

(Form of Prepayment Panel)

The following installments of principal (or portions thereof) of this Bond have been prepaid by the City of Las Vegas, Nevada, in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

Date of Prepayment	Principal Amount Prepaid	Signature of Authorized Representative of DTC

(End of Form of Prepayment Panel)

(Form of Assignment for Bonds)

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

Dated: _____

_____
Signature Guaranteed:

_____Bank

Name of Transferee:

_____

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.

(End of Form of Assignment for Bonds)

SECTION 23. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the City Treasurer, and the City Clerk at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

SECTION 24. Deposit of Proceeds. The City Treasurer shall cause the proceeds of the Bonds to be applied as follows:

A. First, pursuant to § 350.648, Bond Act, the Bond proceeds received from the sale of the Bonds as accrued interest on the Bonds and as any premium, if not needed for the Cost of the Project, shall be deposited into the Interest Account, hereinafter created.

B. The balance of the proceeds received from the sale of the Bonds shall be deposited into a special account hereby created and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, Acquisition Account" to be held by the City. Moneys in the Acquisition Account shall be used solely to defray wholly or in part the Cost of the Project including, without limitation, capitalized interest and the payment of all incidental expenses as may be necessary or otherwise pertain to the financing, including the costs of issuing the Bonds. After the Project is complete and after all expenses have been paid or adequate provision therefor is made, pursuant to § 350.650 Bond Act, any unexpended balance of Bond proceeds (or, unless otherwise required by law, any other moneys) remaining in the Acquisition Account shall be deposited into the Principal Account or Interest Account hereinafter created to be used to pay the principal of and interest on the Bonds.

SECTION 25. Completion of Project. The City, with the proceeds derived from the sale of the Bonds, shall proceed to complete the Project with due diligence to the best of the City's ability hereinabove provided.

SECTION 26. Use of Investment Gain. Pursuant to § 350.658, Bond Act, and except as may otherwise be required herein, any gain from any investment and any reinvestment of any proceeds of the Bonds shall be deposited promptly upon the receipt of such gain at any time or from time to time into the Acquisition Account to the extent necessary to pay the Cost of the Project, and thereafter, shall be deposited to the Principal Account or Interest Account, hereinafter created, for the payment of the principal of or interest on the Bonds or any combination thereof.

SECTION 27. 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 Project, or any part thereof, or to the completion of the Project. Neither the Purchaser, any associate thereof, nor any subsequent owner of any Bond shall in any 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 referred to in this Ordinance.

SECTION 28. General Tax Levies. So far as possible, the Bond Requirements of the Bonds shall be paid from Net Revenues [of the Parking Facilities (herein defined)]. However, pursuant to § 350.596, Bond Act, the principal and interest falling due on the Bonds at any time when there are not on hand sufficient funds to pay same shall be paid out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds of General Taxes. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there are hereby created separate accounts designated respectively as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by

Pledged Revenues), Series 2002A, Principal Account" (the "Principal Account") and the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, Interest Account" (the "Interest Account"; collectively, the "Bond Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, there shall be duly levied immediately after the issuance of the Bonds 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, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installments of principal and interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay, retire and redeem the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to such separate accounts for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council 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 limitation imposed by NRS § 361.453 and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the City.

SECTION 29. 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 exceeds the limitation imposed by NRS § 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes 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 30. Correlation of Levies. Such General Taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Principal Account and in the Interest Account, which accounts shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

SECTION 31. Use of General Fund. Any sums becoming due on the Bonds at any time when there are on hand from such General Taxes (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 General Taxes herein provided for have been collected, pursuant to § 350.596, Bond Act.

SECTION 32. Use of Other Funds. Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes but including Net Revenues as herein defined) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, fall due, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to § 350.598, Bond Act.

SECTION 33. Legislative Duties. In accordance with § 350.592, Bond Act, it shall be the duty of the Council 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

Council 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 the 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 specified.

SECTION 34. Appropriation of General Taxes. In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements for the Bonds have been wholly paid.

SECTION 35. Pledge of Net Revenues. Subject only to the provisions of this Ordinance permitting the application thereof for or to the purposes and on the terms and conditions set forth herein, there are hereby additionally pledged to secure the payment of principal of and interest on the Bonds in accordance with their terms and the provisions of this Ordinance, all of the Net Revenues [(as herein defined) of the Parking Facilities]. This pledge shall be valid and binding from and after the date of the delivery of the Bonds to the Purchaser; and the Net Revenues, as received by the City 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 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. The lien of this pledge and the obligation to perform the contractual provisions hereby made shall have priority over any and all other obligations and liabilities of the City payable from the Net Revenues **on a parity with the lien on the Net Revenues of any Outstanding Parity Securities and any Parity Securities hereafter issued**, except for any Superior Securities hereafter issued and except as herein otherwise provided.

SECTION 36. Revenue Fund. So long as any of the Bonds shall be Outstanding, the entire [Gross] **Net** Revenues [(as herein defined)], upon their receipt from time to time by the City, shall be set aside and credited immediately to a separate account heretofore created in the treasury of the City and designated as the ["City of Las Vegas Parking Enterprise Fund"] **"City of Las Vegas, Nevada, SCCRT Pledged Revenues Income Fund, Series 1993"** (the "Revenue Fund") **created in § 602 of the ordinance authorizing the issuance of the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Multifamily Housing Bonds (Additional Secured by Pledged Revenues), Series November 1, 1993" (the "1993 Bonds") and continued herein which shall be held separate and apart from the Bond Fund**. So long as any of the Bonds hereby authorized shall be Outstanding, the Revenue Fund shall be administered and the moneys on deposit therein shall be applied in the order of priority specified in Sections 37 through 42.

SECTION 37. [Operation and Maintenance Account. First, from time to time there shall be transferred and credited to a separate account hereby created in the treasury of the City and designated as the "City of Las Vegas Parking Facilities Operation and Maintenance Account" (the "Operation and Maintenance Account"), moneys sufficient to pay Operation and Maintenance Expenses, as budgeted and approved in accordance with law, as such expenses become due and payable, and thereupon they shall be promptly paid. Any surplus remaining in the Operation and Maintenance Account at the end of the fiscal year of the City and not needed for Operation and Maintenance Expenses shall be transferred to the Revenue Fund.] **RESERVED**

SECTION 38. Bond Funds, Reserve Accounts and Rebate Accounts for Superior Securities. [Second, from any moneys thereafter remaining in the Revenue Fund, i.e., from the Net Revenues and concurrent with transfers to any bond fund reasonably required reserve account and rebate account created with respect to any Superior Securities hereafter issued, there shall be transferred and credited to such bond funds, reserve accounts and rebate accounts created by the ordinances authorizing such Superior Securities such amounts on such dates as required by such ordinances.] **First, from any moneys in the Revenue Fund, i.e., from the Net Revenues, there shall be credited to any bond fund created to pay the principal of, interest on and prior redemption premiums, if any, due on any Superior 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 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 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 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 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 Securities.

SECTION 39. Bond Funds for the Bonds and Parity Securities.

[A. Interest Account. Third, from any moneys thereafter remaining in the Revenue Fund, i.e., from the Net Revenues, there shall be transferred and credited

to the Interest Account and to any other fund or account established for the payment of interest on any other Parity Securities monthly, commencing the first day of the month immediately succeeding the date of delivery of the Bonds, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time to time available therefor from whatever sources) the amount necessary to pay the installment of interest next due on the Bonds and such Parity Securities.

B. Principal Account. Fourth, from any moneys thereafter remaining in the Revenue Fund, there shall be transferred and credited to the Principal Account and to any other fund or account established for the payment of principal or sinking fund installments on any other Parity Securities monthly, commencing on the first day of the month immediately succeeding the delivery of the Bonds to the Purchaser, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time to time available therefor from whatever sources) to pay the installment of principal next due on the Bonds and such Parity Securities.]

Second, subject to the provisions of § 41 hereof, the following transfers shall be credited to the Bond Fund concurrently with the payments required for any Outstanding Parity Securities into the bond funds therefor, as required by the Ordinances authorizing those bonds:

1. Monthly, commencing on the first day of the month following the date of delivery of the Bonds, an amount in equal monthly installments necessary, together with any other moneys from time to time available therefor from whatever source, including, without limitation, the moneys, if any, provided in § 24A hereof, to pay the next maturing installment of interest on the Bonds, and monthly thereafter, commencing on each interest payment date, one-sixth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next maturing installment of interest on the Bonds then Outstanding.

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

source, to pay the next installment of principal of the Bonds coming due at maturity, and monthly thereafter, commencing on each principal payment date, one-twelfth of the amount necessary, together with any other moneys from time to time available therefor and on deposit therein from whatever source, to pay the next installment of principal of the Bonds coming due at maturity, or pursuant to § 14B hereof, if any.

The moneys credited to the Bond Fund shall be used to pay the Bond Requirements of the Bonds as the Bond Requirements become due, including any mandatory sinking fund payments pursuant to § 14B hereof, if any.

SECTION 40. [Rebate Account. Fifth, from any money thereafter remaining in the Revenue Fund, there shall be transferred and credited to the rebate accounts created by ordinances authorizing the issuance of the Outstanding Parity Securities the amounts required to be deposited therein, and concurrently with such transfers, there shall be transferred and credited to a special and separate account hereby created and designated as the "City of Las Vegas, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, Rebate Account" (the "2002 Rebate Account") and to any other fund or account hereafter established for payment of amounts due the United States under § 148(f) of the Tax Code in connection with any future Parity Securities such amounts as are required to be deposited therein to meet the City's obligations under the covenant contained in § 54 hereof, in accordance with § 148(f) of the Tax Code. Such deposits shall be made at such times as are required by § 148(f) of the Tax Code and such covenant and amounts in the 2002 Rebate Account shall be used for the purpose of making the payments to the United States required by such covenant and § 148(f) of the Tax Code. Any amounts in the 2002 Rebate Account in excess of those required to be on deposit therein may be withdrawn therefrom and deposited into the Revenue Fund.] **Payment of Additional Securities. Third, and subject to the provisions hereinabove in Sections 37 through 42, but either prior to, concurrently with or subsequent to the payments required by Sections 38 and 39 hereof, as provided**

in Sections 46 through 48 hereof, any moneys remaining in the Revenue Fund may be used by the City for the payment of Bond Requirements of the Outstanding Parity Securities payable from the Net Revenues and hereafter authorized to be issued in accordance with Sections 46 through 48 hereof 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 § 38 hereof. Payments for bond and reserve funds for the Outstanding Parity Securities and additional Parity Securities shall be made concurrently with the payments for the Bonds required by § 39 hereof, but payments for bond and reserve funds for additional Subordinate Securities shall be made after the payments required by §§ 38, 39 and 41 hereof.

SECTION 41. [Payment of Subordinate Securities. Sixth, any moneys thereafter remaining in the Revenue Fund may be used by the City for the payment of the principal of and interest on Subordinate Securities; and may be used to create reasonable reserves and to pay rebate for such securities.] **Payment of Rebate. Fourth, and subject to the provisions hereinabove in this Article, there shall be transferred into the "City of Las Vegas, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, Rebate Account" (the "2002 Rebate Account") hereby created, after making in full the monthly deposits required by §§38, 39 and 40, but prior to the transfer of any Net 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 § 54 hereof, in accordance with Section 148(f) of the Tax Code. Amounts in the 2002 Rebate Account 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 2002 Rebate Account in excess of those required to be on deposit therein by § 54 hereof and Section 148(f) of the Tax Code may be withdrawn therefrom and used for any lawful purpose relating to the Project.

SECTION 42. Surplus Revenues. [Seventh] **Fifth**, any moneys thereafter remaining in the Revenue Fund may be used by the City at the end of any fiscal year of the City, or whenever there shall have been credited all amounts required to be deposited in the respective foregoing separate accounts for all of that fiscal year, for any lawful purposes of the City, as the City Council may from time to time determine, including, without limitation, for the creation of operation and maintenance reserves and capital reserves, the payment of capital costs and major maintenance costs of the Parking Facilities, to pay any other obligations pertaining to the Parking Facilities or otherwise.

SECTION 43. Termination of Deposits. No payment need be made into the Interest Account or Principal Account if the amounts in those funds total a sum at least equal to the entire amount of the Outstanding Bonds as to all Bond Requirements to their respective maturities both accrued and not accrued, in which case moneys in such account in an amount, except for any interest or other gain to accrue from any investment of moneys in Federal Securities (as herein defined) from the time of any such investment to the time or respective times the proceeds of any such investment or deposit shall be needed for such payment, at least equal to such Bond Requirements, shall be used, together with any such gain from such investments, solely to pay such Bond Requirements as the same become due.

SECTION 44. Equal Security. The Bonds and any Parity Securities from time to time Outstanding shall be equally and ratably secured by the pledge of Net Revenues hereunder and shall not be entitled to any priority one over the other in the application of the Net Revenues regardless of the time or times of the issuance of the Bonds and any such Parity Securities.

SECTION 45. Defraying Delinquencies. If at any time the City shall for any reason fail to pay into the [Interest Account, the Principal Account] **Bond Fund**, or the 2002 Rebate Account the full amount above stipulated from the Net Revenues, then an amount shall be paid first into the Interest Account and Principal Account and second into the 2002 Rebate Account at such time equal to the difference between that paid from the Net Revenues and the full amount so stipulated. If securities (other than the Bonds) are Outstanding, the payment of which are secured by a lien on the Net Revenues which lien is on a parity with the lien hereon of the Bonds, and if the proceedings authorizing issuance of those securities require the replacement of moneys in a interest account, principal account, reserve account or rebate account therefor, then the moneys replaced in such funds shall be replaced on a pro rata basis related to the principal amount of the then Outstanding Bonds and the then Outstanding Parity Securities, as moneys become available therefor, first into all of such interest, principal, and reserve accounts and second into all such rebate accounts.

SECTION 46. [Conditions to Additional Parity Securities.

A. Nothing herein, except as expressly hereinafter provided, shall prevent the issuance by the City of additional securities payable from Net Revenues and constituting a lien thereon on a parity with the lien thereon of the Bonds, provided, however, that the following are express conditions to the authorization and issuance of any such Parity Securities:

(1) At the time of adoption of the instrument authorizing the issuance of the additional Parity Securities, the City shall not be in default in the payment of principal of or interest on the Bonds.

(2) The Net Revenues (subject to adjustments as hereinafter provided) projected by the City Finance Director, the Director of Public Works or an independent accountant or consulting engineer to be derived in the later of (i) the Fiscal Year immediately following the Fiscal Year in which the facilities to be financed with the proceeds of the additional Parity Securities are projected to be

completed or (ii) the first Fiscal Year for which no interest has been capitalized for the payment of any Parity Securities, including the Parity Securities proposed to be issued, will be sufficient to pay at least an amount equal to the principal (or redemption price) and interest requirements (to be paid during that Fiscal Year) of the Outstanding Bonds, any other Outstanding Parity Securities of the City and the Parity Securities proposed to be issued (excluding any reserves therefor).

B. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, consideration shall be given to any probable estimated increase or reduction in Operation and Maintenance expenses that will result from the expenditure of the funds proposed to be derived from the issuance and sale of the additional Parity Securities.

C. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, the respective annual principal (or redemption price) and interest requirements shall be reduced to the extent such requirements are scheduled to be paid with moneys held in trust or in escrow for that purpose by any trust bank within or without the State, including the known minimum yield from any investment in Federal Securities (as herein defined).

D. A written certificate or written opinion by the City's Finance Director, the City's Director of Public Works, or an independent accountant or consulting engineer that the foregoing earnings test is met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional Parity Securities.

E. In connection with the authorization of any such additional securities the Council may on behalf of the City adopt any additional covenants or agreements with the holders of such additional securities; provided, however, that no such covenant or agreement may be in conflict with the covenants and agreements of the City herein and no such covenant or agreement may be materially adverse to the interests of the holders of the Bonds. Any finding of the Council to the effect that the

foregoing requirements are met shall, if made in good faith, conclusively establish that the foregoing requirements have been met for purposes of this Ordinance.

F. Nothing herein prevents issuance by the City of additional securities payable solely from the Net Revenues and having a lien thereon prior and superior to the lien thereon of the Bonds; but before any such Superior Securities are authorized or actually issued, such Superior Securities shall comply with the requirements set forth in subsections A through D of this Section, as if the proposed Superior Securities were proposed Parity Securities.]

Issuance of Superior or Parity Securities. Nothing herein, prevents the issuance by the City of additional bonds or other additional securities payable from the Net 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 Net Revenues), except as provided in § 48 hereof; but before any such additional Superior Securities or Parity Securities are authorized or actually issued (excluding any superior or parity refunding securities other than any securities refunding Subordinate Securities, as permitted in § 47 hereof):

(A) Absence of Default. At the time of the adoption of the supplemental instrument authorizing the issuance of the additional securities, the City shall not be in default in making any payments required by §§ 38, 39 or 40 hereof with respect to any Superior Securities or Parity Securities.

(B) Earnings Test. Except as hereinafter otherwise provided: (1) the Net Revenues derived in the Fiscal Year immediately preceding the date of the issuance of the additional Superior Securities 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 Securities or Parity Securities are issued and ending on the first day of the Bond

Year in which any then Outstanding Bonds last mature) of the Outstanding Parity Securities, Outstanding Bonds and any other Outstanding Superior Securities or Parity Securities of the City and the bonds or other securities proposed to be issued (excluding the reserves therefor); or, (2) the Pledged Revenues estimated by the Finance Director, independent feasibility consultant or an Independent Accountant to be derived in the first five Fiscal Years immediately succeeding the issuance of the other additional Superior Securities or Parity Securities proposed to be issued, shall be at least equal to such annual principal and interest requirements to be paid during such Fiscal Years.

(C) Adjustment of Pledged Revenues. In any computation of such earnings test as to whether or not additional superior or parity securities may be issued as provided in subsection B of this Section, the amount of the Net Revenues for the next preceding Fiscal Year shall be decreased and may be increased by the amount of any loss or gain conservatively estimated by the Finance Director, independent feasibility consultant or Independent Accountant making the computations under this Section, which loss or gain results from any change in rate of levy of the taxes and impositions provided in the Pledged Distributed Local Tax Act which will result in a change in the amount of Net 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.

(D) Certification of Revenues. A written certification or written opinion by the Finance Director, an independent feasibility consultant or an Independent Accountant, based upon estimates thereby as provided in § 46B and § 46C hereof, that the annual revenues when adjusted as hereinabove provided in § 46C hereof, are sufficient to pay such amounts as provided in

§ 46B hereof, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional Superior Securities or Parity Securities.

(E) Additional Superior Securities. Nothing herein except as expressly provided above in this Section 46 prevents the City from issuing additional Superior Bonds payable from the Net Revenues having a lien thereon prior and superior to the lien thereon of the Bonds; however, such additional Superior Securities shall not be issued as general obligations of the City.

SECTION 47. Subordinate Securities [for the Parking Facilities]. Nothing herein, except as expressly hereinafter provided, shall prevent the City from issuing additional securities payable from Net Revenues and constituting a lien thereon subordinate to the lien thereon of the Bonds and any Outstanding Parity Securities[; provided, however, that the proceeds of any such Subordinate Securities shall be used only to pay the cost (including, without limitation, incidental expenses) of a project for the betterment, enlargement, extension, other improvement or equipment of the Parking Facilities, or any combination thereof].

SECTION 48. Issuance of Refunding Bonds.

A. 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 Parity or Subordinate Securities payable from and constituting a lien upon any [Gross] Net 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 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.

B. The refunding bonds or other refunding securities so issued 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.

C. Any refunding bonds or other refunding securities payable from any [Gross] **Net** Revenues shall be issued with such details as the Council may by ordinance provide, subject to the provisions of this section 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).

D. If only a part of the Outstanding Bonds and other Outstanding securities of any issue or issues payable from the [Gross] **Net** 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:

(1) Unless the refunding bonds or other refunding securities do not increase for any Bond Year the aggregate 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, of the unrefunded securities, and unless the lien of any refunding bonds or other refunding securities on the Net Revenues is not raised to a higher priority than the lien thereon of the Bonds or other securities thereby refunded; or

(2) Unless the lien on any [Gross] **Net** Revenues for the payment of the refunding securities is subordinate to each such lien for the payment of any securities not refunded; or

(3) Unless the refunding bonds or other refunding securities are issued in compliance with Section 46 hereof.

SECTION 49. [Operation of the Parking Facilities. The City shall at all times operate the Parking Facilities properly and in a sound and economical manner and shall maintain, preserve and keep the Parking Facilities properly, or

cause the same so to be maintained, preserved and kept, in good repair, working order and condition. The City also shall from time to time make or cause to be made all necessary and proper repairs, replacements and renewals so that at all times the operation of the Parking Facilities may be properly and advantageously conducted in conformity with standards customarily followed by municipalities operating Parking Facilities of like size and character.

Except for the use of the Parking Facilities or services pertaining thereto in the normal course of business, neither all nor a substantial part of the Parking Facilities shall be sold, leased, mortgaged, pledged, encumbered, alienated or otherwise disposed of until all the Bonds have been paid in full, or unless provision has been made therefor.]

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

SECTION 50. **RESERVED** [Payment of Taxes, Etc. The City shall pay or cause to be paid all taxes, assessments and other municipal or governmental charges, if any, lawfully levied or assessed upon or in respect of the Parking Facilities or any part thereof, or upon any portion of the Gross Revenues, when the same shall become due. The City shall duly observe and comply with all valid requirements of any municipal or governmental authority relative to the Parking Facilities or any part thereof, except for any period during which the validity of the same is being contested in good faith by proper legal proceedings. The City shall not create or suffer to be created any lien or charge on the Parking Facilities or any part thereof, or upon the Gross Revenues, except the pledge and lien created by this Ordinance for the payment of the Bonds and any other outstanding Parity or Subordinate Securities issued in accordance herewith, and except as herein otherwise permitted. The City shall pay or cause to be discharged or shall make adequate provision to satisfy and to discharge within 60 days after the same shall become payable, all lawful claims and demands for labor, materials, supplies or other objects which, if unpaid, might by law

become a lien upon the Parking Facilities or any part thereof, or upon the Gross Revenues. Nothing herein contained requires the City to pay or cause to be discharged or to make provision for any such tax, assessment, lien, charge or demand before the time when payment thereon shall be due, or so long as the validity thereof shall be contested in good faith by appropriate legal proceedings.]

SECTION 51. **RESERVED** [No Competing Facilities. The City shall neither construct nor permit to be constructed other facilities or structures to be operated by the City separate from the Parking Facilities and competing for Gross Revenues otherwise available for the payment of the Bonds or any other securities payable from Net Revenues; provided, however, that nothing herein contained shall impair the police powers of the City or otherwise cause the City to violate any applicable law.]

SECTION 52. [Rate Covenant. The City shall charge against users or against purchasers of services or commodities pertaining to the Parking Facilities such fees, rates and other charges as shall be sufficient to produce Gross Revenues annually which, together with any other funds available therefor, will be in each fiscal year of the City at least equal to the sum of:

A. an amount equal to the annual Operation and Maintenance Expenses for such fiscal year;

B. an amount equal to the Bond Requirements and other debt service due in such fiscal year on the then Outstanding Bonds, any Outstanding Superior Securities, and any Outstanding Parity Securities; and

C. any other amounts payable from the Net Revenues and pertaining to the Parking Facilities, including, without limitation, debt service on any Outstanding Subordinate Securities and any other securities pertaining to the Parking Facilities, operation and maintenance reserves, capital reserves and prior deficiencies pertaining to any account relating to Gross Revenues.

The foregoing rate covenant is subject to compliance by the City with any legislation of the United States of America, the State or other governmental body,

or any regulation or other action taken by the United States, the State or any agency or political subdivision 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 collectible by the City for the use of or otherwise pertaining to, and all services rendered by, the Parking Facilities.

Subject to the foregoing, the City shall cause all fees, rates and other charges pertaining to the Parking Facilities to be collected as soon as reasonable and shall provide methods of collection and penalties to the end that the Gross Revenues shall be adequate to meet the requirements hereof.]

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 Net 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 53. Records and Accounts. So long as any of the Bonds remain Outstanding, proper records and accounts 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 Parking Facilities and to] all moneys pertaining thereto, including, without limitation, the [Gross] **Net** Revenues.

SECTION 54. Tax Covenant. If so designated in the Certificate of the Finance Director, 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 facilities 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 § 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 § 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 § 56 of the Tax Code in calculating corporate alternative minimum taxable income. Subject to the designation in the Certificate of the Finance Director, 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.

SECTION 55. Defeasance. When all Bond Requirements of any Bond have been duly paid, the pledge, the 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 such due payment 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 direct obligations of, or obligations the principal of or interest on which are unconditionally guaranteed by, the United States of America (the "Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due to the final maturity of the Bond, 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 Bond 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 holders thereof to assure availability as 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. When such defeasance is accomplished the Paying Agent shall mail written notice of the defeasance to the registered owner of the Bond at the address last shown on the registration records for the Bonds maintained by the Registrar.

SECTION 56. Amendments. This Ordinance may be amended or supplemented by instruments adopted by the City, 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 66% in aggregate principal amount of the Bonds Outstanding at the time of the adoption of the amendatory or supplemental instrument, excluding 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. No such instrument shall permit without the consent of the insurer of the Bonds, if any, or all of the bondowners adversely affected thereby:

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

B. A reduction in the principal amount of any bond or the rate of interest thereon, without the consent of the owner of the Bond; or

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

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

E. The modification of, or other action which materially and prejudicially affects the rights or privileges of the owners of less than all of the Bonds then Outstanding.

Whenever the City proposes to amend or modify this Ordinance under the provisions hereof, it shall cause notice of the proposed amendment to be mailed by first class mail within 30 days to the insurer of the Bonds, if any, or each registered owner of each registered Bond. The notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory instrument is on file in the office of the City Clerk for public inspection.

Whenever at any time within one year from the date of such notice there shall be filed in the office of the City Clerk an instrument or instruments executed by the insurer of the Bonds, if any, or the owners of at least 66% 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 Council may adopt the amendatory instrument and the instrument shall become effective.

If the insurer of the Bonds, if any, or the owners of at least 66% 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 thereto, 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. Any consent given by the insurer of the Bonds, if any, or the owner of a Bond pursuant to the provisions hereof shall be irrevocable.

Bonds authenticated and delivered after the effective date of any action taken as provided in this Section 56 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 bond, suitable notation shall be made on the Bond 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, registered 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 such Bonds.

SECTION 57. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, or if for any other reason the City determines to retain a successor Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any Bond at his address last shown on the registration records, appoint a successor Registrar or Paying Agent. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same person or institution serve as Registrar and Paying Agent thereunder, but the City shall have the right to have the same person or institution serve as Registrar and Paying Agent. Any successor Registrar and Paying Agent must be an officer or employee of the City or a commercial bank authorized to execute trust powers.

Any successor corporation or association into which the Registrar or Paying Agent may be converted or merged, or with which they may be consolidated, or to which they may sell or transfer their corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer, to which they are a party, shall be and become the successor Registrar or Paying Agent under this Ordinance, without the execution or filing of any instrument or any further act, deed, or conveyance on the part of any of the parties hereto, anything in this Ordinance to the contrary notwithstanding.

SECTION 58. Delegated Powers. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. The printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of the certificates as may be reasonably required by the purchaser, relating, inter alia,

(1) to the signing of the Bonds,

(2) to the tenure and identity of the officials of the City,

(3) to the assessed valuation of the taxable property in and the indebtedness of the City,

(4) to the rate of taxes levied against the taxable property within the City,

(5) to the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, if so designated in the Certificate of the Finance Director,

(6) to the delivery of the Bonds through The Depository Trust Company and the receipt of the Bond purchase price,

(7) to the completeness and accuracy of any information provided the Purchaser in connection with the Bonds as of the date of delivery of the Bonds, and

(8) if it is in accordance with the fact, to the absence of litigation, pending or threatened, affecting the validity of the Bonds;

C. The execution of the Depository Trust Company's "Letter of Representations" by the City Treasurer, as Paying Agent for the Bonds and, on behalf of the City, as issuer, of the Bonds;

D. The execution by the City's Finance Director of the Bond Purchase Proposal for the sale of the bonds with the Purchaser thereof;

E. The completion and execution by the City's Finance Director of the Certificate of the Finance Director; and

F. The assembly and dissemination of financial and other information concerning the City and the Bonds.

G. The assembly and dissemination of this Amendment Ordinance, and information related thereto to the insurer for the Bonds in order to obtain the insurer's consent and approval of this Amendment Ordinance. The preparation and distribution of a notice of this Amendment Ordinance in accordance with Section 56 of the 2002 Ordinance. Delivery of the Bonds to the Depository Trust Company, if necessary, to evidence the amendments set forth in this Amendment Ordinance.

SECTION 59. Continuing Disclosure Undertaking and Certificate. 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 and delivered in connection with the delivery of the Bonds and the City Finance Director is authorized to execute and deliver such certificate on behalf of the City.

Section 2. Publication of Proposed Amendment Ordinance. When first proposed, this Amendment Ordinance must be read to the Council by title, after which an adequate number of copies of this Amendment 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 Amendment 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 OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA AMENDING ORDINANCE NO. 5533 AUTHORIZING THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) PARKING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002A; 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 CERTAIN NET REVENUES; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on _____, 2004, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on _____, 2004.

/s/_____ Barbara Jo Ronemus
City Clerk

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

Section 3. Publication of Amendment Ordinance and Effective Date. After this Amendment Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Amendment Ordinance shall be published by title only, together with the names of the members of the Council who voted for or against its adoption. This Ordinance shall be in effect on and after the date of publication of adoption of this Amendment Ordinance. Such publication of adoption of this Amendment Ordinance shall be made at least once in a newspaper published and having general circulation in the City and such publication shall be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

BILL NO.____

ORDINANCE NO.
(of Las Vegas, Nevada)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA AMENDING ORDINANCE NO. 5533 AUTHORIZING THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) PARKING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002A; 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 CERTAIN NET REVENUES; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above-numbered and entitled ordinance are available for public examination and distribution upon request at the office of the City Clerk of the City of Las Vegas, Nevada, at her office at 400 Stewart Avenue, Las Vegas, Nevada; and that the above-numbered and entitled Ordinance was passed and adopted at a regular meeting of the City Council of the City of Las Vegas on _____, 2004, by the following vote of the City Council:

Those Voting Aye:	Oscar Goodman Gary Reese Larry Brown Lynette Boggs-McDonald Lawrence Weekly Michael Mack Janet Moncrief
Those Voting Nay:	_____
Those Absent:	_____

This Ordinance shall be in full force and effect on and after the later of the ____ day of _____, 2004, the date of publication of this notice or the date the City receives the consent and approval of MBIA Insurance Corporation, as the insurer for the Bonds, whichever occurs later.

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 _____, 2004.

/s/ Oscar Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

Section 4. Ordinance Irrepealable. This Ordinance, including the Amendment Ordinance, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

Section 5. Implied Repealer. All resolutions and ordinances, bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, bylaw, order, or part thereof, heretofore repealed.

Section 6. Severability. If any section, paragraph, clause or provision of this Amendment Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Amendment Ordinance.

(SEAL)

Attest:

_____
Mayor

_____
City Clerk

Approved as to Form:

_____ 4/19/04
Date

This Ordinance shall be in force and effect on and after the later of the ____ of _____, 2004, the date of publication of adoption of this Ordinance, or the date the City receives the consent and approval of MBIA Insurance Corporation, as the insurer for the Bonds, whichever occurs later.

THIS AMENDMENT ORDINANCE IS HEREBY ACKNOWLEDGED AND APPROVED BY MBIA INSURANCE CORPORATION AND MBIA INSURANCE CORPORATION HEREBY CONSENTS TO THE PROVISIONS OF THIS AMENDMENT ORDINANCE BY EXECUTION HEREOF BY AN AUTHORIZED REPRESENTATIVE OF MBIA INSURANCE CORPORATION.

MBIA INSURANCE CORPORATION

By:_____
Name:
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 _____, 2004 and finally adopted and approved on _____, 2004.

2. The following members of the Council were present at the_____, 2004 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief

3. The foregoing Ordinance was first proposed and read by title to the City Council on _____, 2004, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on _____, 2004, 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 _____, 2004 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Larry Brown
	Lynette Boggs-McDonald
	Lawrence Weekly
	Michael Mack
	Janet Moncrief

Those Voting Nay: _____
Those Absent:

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on _____, 2004, and _____, 2004. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, on the City's website 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 _____, 2004, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on _____, 2004, 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 _____, 2004.

_____
City Clerk

EXHIBIT A

(Attach Copy of Notice of _____, 2004 Meeting)

EXHIBIT B

(Attach Copy of Notice of _____, 2004 Meeting)

EXHIBIT C

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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

City of Las Vegas

Agenda Item No. 75

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2004-37 – Prohibits the sale of new vehicles (cars and trucks) on Sundays. Sponsored by: Councilman Michael Mack

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
In 2001, the Southern Nevada Regional Planning Coalition adopted a resolution recommending that area local governments adopt ordinances to prohibit motor vehicle dealers from selling new vehicles (cars and trucks) on Sundays. Clark County adopted such an ordinance in 2001, and it has been proposed that the City do likewise.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2004-37

MOTION:
None required. A presentation was made.

MINUTES:
First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee
5/19/2004 Council Agenda

(12:10 – 12:11)

BILL NO. 2004-37

ORDINANCE NO. _____

AN ORDINANCE TO PROHIBIT THE SALE OF NEW VEHICLES (CARS AND TRUCKS) ON SUNDAYS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Michael Mack

Summary: Prohibits the sale of new vehicles (cars and trucks) on Sundays.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, consisting of the provision set forth as Section 2 of this Ordinance.

SECTION 2: No motor vehicle dealer who is licensed pursuant to NRS Chapter 482 as a "new vehicle dealer" may be open for business on Sundays at any location where the dealer sells new cars or trucks, whether exclusively or in conjunction with the sale of used cars or trucks.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such

fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

Val Steed 4-21-04
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2004, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2004, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk

City of Las Vegas

Agenda Item No. 76

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] CONSENT [X] DISCUSSION

SUBJECT:
NEW BILL:

Bill No. 2004-38 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004B, for Special Improvement Districts (SID) numbers 1474 and 1486 in an amount not to exceed $750,000 - Ward 6 (Mack)

Fiscal Impact

[ ] **No Impact**
[X] **Budget Funds Available**
[ ] **Augmentation Required**

Amount: $750,000
Dept./Division: Finance & Business Services
Funding Source: SID assessments in the respective districts.

PURPOSE/BACKGROUND:
The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Internal Service Fund). The term of these bonds will be ten years and will be funded with the SID assessments in the district.

RECOMMENDATION:
This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2004-38

MOTION:
None required. A presentation was made.

MINUTES:
First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee
5/19/2004 Council Agenda

(12:10 – 12:11)

Summary - An ordinance authorizing a local improvement bond for City of Las Vegas, Nevada, District Nos. 1474 and 1486 in the aggregate principal amount of not to exceed $600,000, and providing other matters related thereto.

BILL NO. 2004-038

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2004B, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 1474 AND 1486 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

WHEREAS, the City of Las Vegas in the State of Nevada (the "City" and "State," respectively) is a political subdivision of the State, organized and operating as a city under the provisions of an act entitled "AN ACT incorporating the City of Las Vegas, in Clark County, Nevada, under a new charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as Chapter 517, Statutes of Nevada 1983, and all laws amendatory thereof; and

WHEREAS, the City Council (the "Council") of the City, pursuant to ordinances heretofore passed and adopted (the "District No. 1474 Ordinance" and the "District No. 1486 Ordinance"), created the City of Las Vegas, Nevada, Special Improvement District No. 1474 – Rainbow Boulevard (Silverstream Avenue to Smoke Ranch Road) and Special Improvement District No. 1486 – Rainbow Boulevard (Rancho Drive to Ann Road) (collectively, the "Districts"), ordered the acquisition of certain local improvements for the Districts (the "Projects") and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefitted lots, tracts and parcels of land in the Districts; and

WHEREAS, the Council has by ordinances heretofore passed and adopted (respectively, the "District No. 1474 Assessment Ordinance" and the "District No. 1486 Assessment Ordinance" and collectively, the "Assessment Ordinances") levied assessments against the property benefitted by the improvements in the Districts; and

WHEREAS, the Council and the officers of the City have determined, and do hereby determine, that it is necessary and for the best interests of the City and the inhabitants thereof that the City issue its registered local improvement bond in an aggregate principal amount not exceeding the aggregate principal amount of such assessments as remains payable in installments on the date of delivery of the bond except as otherwise provided in Nevada Revised Statutes ("NRS") 271.360; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the bond issued for the Districts; and

WHEREAS, the bond issued for the Districts is to bear interest at the rate per annum provided in the bond purchase proposal submitted by the initial purchaser (the "Purchaser") and accepted by the City Director of Finance and Business Services (the "Finance Director"), which rate must not exceed by more than 3% of the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the bond, and is to be sold at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the bond, less a discount not exceeding 9% of the principal amount thereof, all as specified by the Finance Director in a certificate dated on or before the date of delivery of the bond (the "Certificate of the Finance Director"); and

WHEREAS, the Council has previously established a Local Improvement Districts Special Surplus and Deficiency Fund (the "Surplus and Deficiency Fund"), in accordance with NRS 271.428.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DO ORDAIN:

Section 1. This ordinance shall be known as and may be cited by the short title "District Nos. 1474 and 1486 Bond Ordinance" (this "Ordinance").

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this Ordinance) concerning the Districts, including, but not limited to, the construction and other acquisition of local improvements, the performing of all prerequisites to the levying of special assessments and to fixing the assessment lien against the property in the Districts, including, without limitation, the passage and adoption of the Assessment Ordinances, and the issuance of its local improvement bond hereby authorized in the aggregate principal amount of not to exceed $600,000 (the "Bond") and the sale of the Bond to the Purchaser is ratified, approved and confirmed, including, without limitation, the distribution of the Request for Proposals for the purchase of the Bond. Pursuant to NRS 350.165, the Finance Director is authorized to accept the bond purchase proposal for the Bond and to deliver the Certificate of the Finance Director specifying the items required by this Ordinance.

Section 3. The City covenants to receive, collect and enforce the payment of all assessments made and levied for said improvements, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinances, and by this Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to any person or persons lawfully entitled thereto.

Section 4. The City Treasurer is hereby authorized, empowered and directed to receive and collect all assessments levied to pay the cost of said improvements, the installments thereof, the interest thereon (at a rate to be hereafter determined), and the penalties accrued, at the time and in the manner specified in the Assessment Ordinances, and to pay and disburse such payments to the person or persons lawfully entitled to receive the same, in accordance with the ordinances and resolutions of the City heretofore or to be hereafter adopted. Except as provided in NRS 271.360 concerning assessments for which a hardship determination

has been made, all moneys received from the assessments of the Districts after the applicable cash periods provided in the Assessment Ordinances, both principal and interest, shall be placed in a separate fund to be designated the "City of Las Vegas, Nevada, District Nos. 1474 and 1486 Bond Fund" (the "Bond Fund"), and shall be used as soon as the funds are available for the purpose of paying the principal of and the interest on the Bond, and for no other purpose whatsoever, and as security for such payment, the Bond Fund is hereby exclusively pledged except as otherwise specifically provided herein. The City Treasurer is also authorized, empowered and directed to receive and collect surplus local improvement district moneys, if any, pursuant to NRS 271.428 and to place all said surplus moneys, except as otherwise required by NRS 271.429, in the City's Surplus and Deficiency Fund, and to disburse therefrom said moneys for the payment of the interest on and the principal of the City's special or local improvement district bonds, including the Bond, to the extent necessary, if necessary.

Section 5. If the owner of any lot, tract or parcel of land assessed for said improvements shall be delinquent as to assessments, it shall be the duty of the Council to cause the delinquent person to be notified of such delinquency, in writing, and if such delinquency is not paid, the Council may foreclose the special assessment lien against the property or properties wherein the delinquency exists in the method now or hereafter provided by law. All the net proceeds of collecting any delinquent assessment shall be deposited in the Bond Fund (or in the general fund of the City, to the extent provided in Section 9 hereof) and in any event in an amount of not less than the principal amount of said assessment and accrued interest thereon to the date of its collection.

Section 6. For the purpose of defraying the entire cost and expense of making said improvements (except to the extent funds are available therefor from that part of said assessments which have been heretofore paid and to the extent other funds are available therefor), there shall be issued in the name of the City, the City's fully registered (i.e. registered as to payment of both principal and interest) special assessment bond designated as the "City of Las Vegas, Nevada, District Nos. 1474 and 1486 Local Improvement Bond, Series 2004B" in the aggregate principal amount of not to exceed $600,000, which Bond shall be dated as of its date of delivery. The Bond shall be in a denomination equal to the aggregate principal amount thereof. The Bond shall be issued in fully registered form. The installments of principal on the Bond shall bear interest, calculated on a 360-day year of twelve 30-day months, at the rate or rates set forth in the Certificate of the Finance Director from its dated date until its maturity date or dates, payable on June 1 and December 1 of each year, commencing on December 1, 2004. The installments of principal on the Bond shall mature on the dates and in the amounts set forth in the Certificate of the Finance Director.

The final installment of principal of the Bond shall be payable to the registered owner thereof as shown on the registration records kept by City Treasurer, as Registrar (the "Registrar"), upon maturity thereof and upon presentation and surrender at the office of the City Treasurer, as Paying Agent (the "Paying Agent"). If the Bond shall not be paid at maturity or upon prior redemption, they shall continue to draw interest at the interest rate borne by the Bond until the principal thereof is paid in full. Payment of installments of principal of and interest on the Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent on each payment date (or, if such payment date is not a business day, on the next succeeding business day), to the registered owner thereof at his address as shown on the

registration records kept by the Registrar at the close of business on the day preceding such payment date. The Paying Agent may make payments on the Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent (provided, however, that the City shall not be required to make funds available to the Paying Agent prior to the due dates of interest and principal). All such payments shall be made in lawful money of the United States of America.

All principal payments in connection with a partial optional redemption shall be noted on the prepayment panel appended to the Bond, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to payment. Notwithstanding the foregoing, the payment records of the Paying Agent shall be conclusive.

Section 7. Principal installments on the Bond shall be subject to prior redemption at any time at a price equal to the principal amount redeemed, plus accrued interest to the redemption date, in whole or in part as determined by the City from any legally available moneys, upon 10 days' notice to the registered owner of the Bond.

Notice of any prior redemption shall be given by the Registrar in the name of the City by sending a copy of such notice by first-class, postage prepaid mail, at least 10 days prior to the redemption date to the registered owner of the Bond at his or her address as it last appears on the registration records kept by the Registrar.

Such notice shall specify the installment or installments of principal of the Bond so to be redeemed (if less than all are to be redeemed) and the date fixed for redemption. Such notice shall further state that on the redemption date there will become and will be due and payable upon each installment so to be redeemed at the Paying Agent, the principal amount thereof and accrued interest thereon to the redemption date, and that from and after such date interest will cease to accrue. Notice having been given in the manner provided herein, the installments of principal of the Bond so called for redemption shall become due and payable on the redemption date so designated; and upon presentation thereof at the Paying Agent, the District will pay the installments of principal of the Bond so called for redemption.

A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the bondowner of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Section 8. The person in whose name a Bond shall be registered on the registration books kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and payment of principal of and interest on the Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative (except as provided above for the payment of interest to the registered owner as of the Regular or a Special Record Date). 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.

Section 9. The Bond and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection thereof from the assessments levied against and secured by a lien upon the lots, tracts and parcels of land in the Districts. Whenever there is a

deficiency in the special Bond Fund established pursuant to NRS 271.490, the deficiency must first be paid out of the City's Surplus and Deficiency Fund (to the extent any money is available therein) before any payment is made out of the general fund of the City. In the event the Bond Fund shall be insufficient to pay the Bond and interest thereon as they become due, and the amounts, if any, in the Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the general fund of the City. In the event deficiencies are paid out of the general fund of the City, all net proceeds of collecting the delinquent assessments with respect to which such payments from the general fund of the City were required to be made shall be returned and deposited in the general fund of the City when the Bond, both principal and interest, have been fully paid and discharged. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, City and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bond as they become due, both principal and interest, but subject to the limitations set forth in NRS 361.453 and Section 2 of Article 10 of the Constitution of the State. The Bond and the interest thereon are payable solely from the assessments, any moneys in the Surplus and Deficiency Fund, the general fund, and general tax proceeds pledged to the payment thereof.

Section 10. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under oath. Thereafter, the Bond shall be signed and executed in the name of the City with the engraved, imprinted, stamped or otherwise reproduced manual or facsimile of the signature of the Mayor, the City Treasurer, shall be attested with the manual or facsimile signature of the City Clerk, and each Bond shall be authenticated by the manual signature of an authorized officer of the Registrar as hereafter provided. A printed, engraved, stamped or otherwise placed authentic or facsimile of the seal of the City shall be affixed thereto. The Bond 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 (subject to the requirement of authentication by the Registrar as hereinafter provided), notwithstanding that before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign the Bond at the time of its execution and of the execution of a signature certificate, may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the bond. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar, and such certificate of authentication of the Registrar upon the Bond shall be the only competent evidence that such bond has been duly issued and delivered. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by a duly authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on the Bond issued hereunder. If the Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or

mutilated Bond shall have matured, the Registrar may direct the Paying Agent to pay such bond in lieu of replacement.

Section 11. Books or records for the registration and transfer of the Bond shall be kept by the Registrar for the Bond. The Bond shall be fully transferable by the registered owner thereof in person or by his duly authorized attorney on the registration records kept at the office of the Registrar, or such other office as may be designated by the Registrar, upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Upon the surrender for transfer of the 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, bearing a number or numbers not contemporaneously outstanding. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from an optional redemption. The Registrar shall not be required to transfer or exchange (i) the Bond during a period beginning at the opening of business 15 days before the date of mailing by the Registrar of a notice of prior redemption of the Bond and ending at the close of business on the date of such mailing, or (ii) the Bond after the mailing of notice calling such bond, or any portion thereof, for redemption as herein provided. Whenever the Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, the Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar upon request of the City.

Section 12. Subject to the registration provisions hereof, the Bond hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the owner thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code - Investment Securities.

Section 13. Pursuant to NRS 271.505, the Bond shall contain a recital that it is issued pursuant to Chapter 271 of NRS (the "Consolidated Local Improvements Law"), which recital shall conclusively impart full compliance with all of the provisions of the Consolidated Local Improvements Law, and the Bond issued containing such recital shall be incontestable for any cause whatsoever after its delivery for value.

Section 14. Subject to the provisions of this Ordinance, the Bond and certificates thereon shall be in substantially the following form, with such omissions, insertions, endorsements, and variations 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 **COUNTY OF CLARK**

NO. R-__ **$___**

CITY OF LAS VEGAS, NEVADA
DISTRICT NOS. 1474 AND 1486
LOCAL IMPROVEMENT BOND
SERIES 2004B

Interest Rate	Maturity Date	Dated as of
___% per annum		Date of Delivery

REGISTERED OWNER:

PRINCIPAL AMOUNT: _____**DOLLARS**

The City of Las Vegas (the "City"), in the State of Nevada (the "State"), for value received hereby promises, out of funds available for the purpose as hereinafter set forth, to pay to the registered owner hereof specified above or registered assigns the principal amount specified above on the maturity date specified above with interest hereon from the date of this bond, or from the most recent interest payment date to which interest has been paid, until maturity at the percentage rate per annum specified above. This Bond shall bear interest on the principal amount hereof from its dated date at the rate of ____% per annum (calculated on the basis of a 360-day year of twelve 30-day months), payable semiannually on each June 1, and December 1, commencing December 1, 2004. The principal of this Bond shall be payable on December 1 of each year in the following amounts:

[Insert Maturity Schedule]

The final payment of principal of and interest on this Bond is payable upon presentation and surrender hereof at the office of the City's paying agent for the Bond (the "Paying Agent"), presently the City Treasurer, who is also now acting as the City's Registrar for the Bond (the "Registrar") or such other office as designated by the Paying Agent. Installments of principal and interest on this Bond prior to the final payment will be made by check mailed by the Paying Agent on each payment date (or, if such date is not a business day, on the next succeeding business day) to the person in whose name this Bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon as of the close of business on the day next preceding such payment date. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the "District Nos. 1474 and 1486 Bond Ordinance,"

adopted and approved by the City Council of the City on May 19, 2004 authorizing the issuance of this Bond (the "Ordinance"). All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or the Registrar.

This bond is subject to prior redemption at any time at a price equal to the principal amount redeemed, plus accrued interest to the redemption date, in whole or in part as determined by the City from any legally available moneys, upon 10 days' notice to the registered owner of the Bond

This bond is one of a series of special assessment bonds, issued by the City, all of which are of like date and designation and in the total amount of _____ Dollars ($_____).

Pursuant to the Bond Ordinance, reference to which is made for further details, the payment of the principal of and the interest on the Bond of the series of which this bond is one, shall be made from, and as security for such payment there is pledged, a special fund designated "City of Las Vegas, Nevada, District Nos. 1474 and 1486 Bond Fund," sometimes designated the "Bond Fund," containing the receipts upon the collection thereof from the assessments, as defined in the Bond Ordinance, levied against and secured by a lien upon the property specially benefitted by said improvements in the City of Las Vegas, Nevada, Special Improvement District Nos. 1474 and 1486 (the "Districts"), and remaining unpaid on the date of delivery of the Bond. The Bond Fund is and shall continue to constitute a sinking fund for and be deemed specially appropriated to the full and prompt payment of the Bond and the interest thereon, and shall be used for no other purpose whatsoever; provided, however, that in the event said fund shall be insufficient to pay the Bond and the interest thereon as they become due, and the moneys, if any, in the City's special Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the City's general fund. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, county and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bond as it becomes due, both principal and interest, but subject to the limitations set forth in Nevada Revised Statutes ("NRS") 361.453 and Section 2 of Article 10 of the Constitution of the State. The Bond and the interest thereon are payable solely from the assessments, the moneys, if any, in the City's Surplus and Deficiency Fund (as defined in the Bond Ordinance), the general fund, and general tax proceeds pledged to the payment thereof.

Said assessments made and levied to defray said cost, with accruing interest thereon, constitute a lien upon and against the property upon which such assessments were made and levied from and after the effective date of each ordinance levying assessments for the Districts.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of said special assessment bonds of said City for said improvements and incidental expenses, including this bond, does not exceed the amount

authorized by law nor the total unpaid special assessments levied to cover the cost of said improvements; that this bond is issued under the authority of the Consolidated Local Improvements Law, Chapter 271, NRS and that this bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings, with reference to making such improvements, levying the assessments to pay therefor, and issuing the Bond, have been regularly had and taken, in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property benefitted by the improvements and of the liability of the owner or owners of such property therefor have been performed.

The Bond of the series of which this is one is fully registered (i.e., registered as to payment of both principal and interest), and is issuable in a denomination equal to the aggregate principal amount thereof.

Except for the fifteen-day period preceding any date on which any portion of the Bond of the series of which this bond is one is being selected for call for prior redemption and except for any Bond so called for redemption, this bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of this bond together with a duly executed written instrument of transfer satisfactory to the Registrar, and upon the payment of all fees and charges required by such Registrar. Upon such transfer a new fully registered bond of the same aggregate principal amount will be issued to the transferee in exchange for this bond, subject to such terms and conditions as set forth in the Bond Ordinance. 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 and for all other purposes.

This bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN WITNESS WHEREOF, City of Las Vegas, Nevada, has caused this bond to be signed and executed in the name of and on behalf of the City with the [manual/facsimile] signature of the Mayor of the City Council, to be countersigned with the [manual/facsimile] signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the [manual/facsimile] signature of the City Clerk, has caused the [authentic/facsimile] of the corporate seal of the City to be affixed hereon, and has caused this bond to be dated as of the date specified above.

(For [Manual/Facsimile] Signature)
Mayor

Countersigned:

(For [Manual/Facsimile] Signature)
City Treasurer

(AUTHENTIC OR FACSIMILE SEAL)

Attested and Countersigned:

(For [Manual/Facsimile] Signature)
City Clerk

(Form of Registrar's Certificate of Authentication)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

Date of Registration: _____

This is the Bond described in the above-mentioned Bond Ordinance, and this bond has been duly registered on the registration books or records kept by the undersigned as Registrar for such Bond.

TREASURER, CITY OF LAS VEGAS
as Registrar

By (Manual Signature) _____
Authorized Officer

(End of Form of Registrar's Certificate of Authentication)

(Form of Prepayment Panel)

PREPAYMENT PANEL

The following installments of principal (or portions thereof) of this bond have been prepaid in accordance with the terms of the ordinance authorizing the issuance of this bond.

Date of Prepayment	Principal Prepaid	Signature of Authorized Representative of Owner
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(End of Form of Prepayment Panel)

(Form of Assignment Provision)

ASSIGNMENT PROVISION

For value received, the undersigned hereby sells, assigns and transfers unto _____ _____ _____ the within bond and hereby irrevocably constitutes and appoints _____ attorney in fact, to transfer the within bond on the books of the Registrar, with full power of substitution in the premises.

Dated:_____ _____

_____
Signature Guaranteed

_____

_____
Signature Must Be Guaranteed By A Member Firm Of The National Association Of Securities Dealers Or By A Commercial Bank or Trust Company

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.

Name of Transferee: _____

Address of Transferee: _____

Taxpayer Identification or
Social Security Number(s) _____

Transfer fees must be paid to the Registrar in order to transfer or exchange this Bond as provided in the Bond Ordinance.

(End of Form of Assignment)

Section 15. When the Bond has been duly executed and authenticated, it will be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized from the sale of the Bond (net of any discount), including any investment income therefrom, shall be applied solely to defray the cost and expense of making said improvements; provided, however, that after said cost and expenses are paid (excepting any portion to be paid with other than special assessment proceeds), any funds remaining from the sale of the Bond shall be deposited in the Bond Fund and used for the purposes therefor specified in Section 4 of this Ordinance; and provided further, that all moneys received as premium at the time of delivery of any of the Bond shall be deposited into the Bond Fund to apply to the payment of interest next due on the Bond. The Purchaser, however, shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale thereof or of any other funds herein designated.

Section 16. So long as any of the Bond remains outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of said special assessments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Bond Fund, covering deposits in and disbursements from the Surplus and Deficiency Fund, covering the redemption of the Bond both principal and interest, and covering disbursements to defray the costs of said improvements, including incidental expenses; and the City will permit an inspection and examination of all books and accounts at all reasonable times by any representative of any of the original purchaser of the Bond.

Section 17. The Finance Director is authorized to execute the proposal to purchase the Bond submitted by the Purchaser in accordance with the provisions of this Ordinance. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the Bond from Zions Bank, and this consent shall constitute a written agreement required by NRS 350.810.

Section 18. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

(a) the printing of the Bond, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar; and

(b) the execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bond, the tenure and identity of the officials of the Council and the City, the delivery of the Bond, the designation of the Paying Agent and the Registrar, the receipt of the purchase price for the Bond, the exemption of interest on the Bond from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of Chapter 271, NRS, as hereafter amended and supplemented from time to time;

(c) the execution by the Finance Director of the purchase proposal between the Purchaser and the City; and

(d) the completion and execution by the Finance Director of the Certificate of the Finance Director in accordance with the provisions of this Ordinance.

Section 19. Any registered owner of the Bond may, either at law or in equity, by suit, action, mandamus or other appropriate proceeding in any court of competent jurisdiction, protect the liens created by this Ordinance on the proceeds of said assessments, and may by suit, action, mandamus or other appropriate proceeding enforce and compel the performance of any duty imposed upon the City by the provisions of this Ordinance, or any ordinance heretofore adopted concerning the Districts, including without limiting the generality of the foregoing, the segregation of special assessments, the proper application thereof, and the appointment of a receiver. The failure of any Bondowner to proceed shall not relieve the City or any of its officers, agents or employees of any liability for failure to perform any such duty.

Section 20. The City covenants for the benefit of the registered owners of the Bond that it will not take any action or omit to take any action with respect to the Bond, the proceeds thereof, any other funds of the City or any facilities financed with the proceeds of the Bond if such action or omission (i) would cause the interest on the Bond to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended to the date of delivery of the Bond (the "Tax Code"), or (ii) would cause interest on the Bond 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 adjustments 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 Bond until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

Section 21. When all of the principal of and interest on the Bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to the Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment 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 bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all principal of and the interest on the Bond, as the same become due. 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 holders thereof to assure availability as 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 22. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed, and this Ordinance shall be irrepealable until the Bond and the interest thereon shall be fully paid, satisfied and discharged, as herein provided.

Section 23. This Ordinance may be amended (except for the provisions of Section 13 hereof) or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of sixty percent (60%) of the principal amount of the Bond outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

a. an extension of the maturity of the Bond; or

b. a reduction in the principal amount of the Bond or the rate of interest thereon; or

c. the creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or

d. a reduction of the principal amount of Bond required for consent to such amendatory or supplemental ordinance.

Section 24. Pursuant to NRS 271.520, the Bond, its transfer, and the income therefrom, shall forever be and remain free and exempt from taxation by the State and any subdivision thereof, except for the tax on estates imposed by Chapter 375A of NRS, or the tax on generation-skipping transfers imposed pursuant to the provisions of Chapter 375B of NRS.

Section 25. The Council does hereby find and declare that the life of the improvements to be acquired with the proceeds obtained from the sale of the Bond shall be not less than the ten (10) year period during which the Bond matures.

Section 26. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall determine to remove the Registrar or Paying Agent, the Council may, upon notice mailed to each owner of the Bond at his address last shown on the registration books, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. Any corporation, association, or agency into which the Registrar or the Paying Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, automatically shall be and become successor registrar or paying agent hereunder and vested with all of the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any

further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 27. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2004B, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 1474 AND 1486 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

PUBLIC NOTICE IS HEREBY GIVEN 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 the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 5, 2004 and will be considered for adoption at the regular meeting of the City Council to be held on May 19, 2004.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 28. This Ordinance shall be in effect on the date of publication as hereinafter provided. After this Ordinance is adopted and 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 Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. ____
ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REGISTERED LOCAL IMPROVEMENT DISTRICT BOND, SERIES 2004B, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NOS. 1474 AND 1486 TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on May 5, 2004 and that such Ordinance was passed at a regular meeting of the City Council on May 19, 2004 by the following vote of the City Council:

Those Voting Aye: Oscar B. Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Janet Moncrief

Those Voting Nay: _____
Those Absent: _____

This Ordinance shall be in full force and effect from and after the ____ day of May, 2004 i.e., the date of 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 May 19, 2004.

/s/ Oscar Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

Section 29. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Adopted on May 19, 2004.

_____
Mayor

Attest:

_____
City Clerk

The ordinance has been reviewed by the Deputy City Attorney:

Madeline L. Dickman-DiRico
Deputy City Attorney

This Ordinance shall be in full force and effect from and after May __, 2004, i.e., the day after the publication of such Ordinance by its title only.

STATE OF NEVADA)
) **ss.**
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), 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 May 5, 2004 and finally adopted and approved on May 19, 2004.

2. The following members of the Council were present at the May 5, 2004 Council meeting:

Mayor:	Oscar Goodman
Councilmembers	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief

2. The foregoing Ordinance was first proposed and read by title to the City Council on May 5, 2004, and referred to a committee composed of the _____ _____ for recommendation; thereafter said committee reported favorably on said Ordinance on May 19, 2004, which was a regular meeting of said Council; that as 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 May 19, 2004 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
Those Voting Nay:	_____
Those Absent:	_____

3. 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.

4. All members of the Council were given due and proper notice of the meetings held on May 5, 2004 and May 19, 2004.

5. All members of the Council were given due and proper notice of the meetings. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

(a) By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:

(i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested 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 the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibits A and B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this May __, 2004.

_____

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting held May 5, 2004)

EXHIBIT B

(Attach Copy of Notice of Meeting held May 19, 2004)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

City of Las Vegas

Agenda Item No. 77

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: MARK R. VINCENT [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
NEW BILL:

Bill No. 2004-39 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2004A, for Special Improvement District (SID) number 1481 in an amount not to exceed $2,800,000 - Ward 6 (Mack)

Fiscal Impact

[ ]	**No Impact**	**Amount:** $2,800,000
[X]	**Budget Funds Available**	**Dept./Division:** Finance & Business Services
[ ]	**Augmentation Required**	**Funding Source:** SID assessments in the respective districts.

PURPOSE/BACKGROUND:
The City has created the improvement district in compliance with NRS 271. NRS Chapter 350 authorizes the issuance of bonds for the SID district to repay short term financing (Interim Warrant). The term of these bonds will be twenty years and will be funded with the SID assessments in the district.

RECOMMENDATION:
This bill should be submitted to a recommending committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2004-39

MOTION:
None required. A presentation was made.

MINUTES:
First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

5/17/2004 Recommending Committee
5/19/2004 Council Agenda

(12:10 – 12:11)
3-234

THE MORNING SESSION RECESSED AT 12:11 P.M.

Summary - An ordinance authorizing local improvement bonds for City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway to US 95) in the aggregate principal amount of not to exceed $2,744,000, and providing other matters related thereto.

BILL NO. 2004-039

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2004A, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

WHEREAS, the City of Las Vegas in the State of Nevada (the "City" and "State," respectively) is a political subdivision of the State, organized and operating as a city under the provisions of an act entitled "AN ACT incorporating the City of Las Vegas, in Clark County, Nevada, under a new charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as Chapter 517, Statutes of Nevada 1983, and all laws amendatory thereof; and

WHEREAS, the City Council (the "Council") of the City, pursuant to an ordinance heretofore passed and adopted (the "District No. 1481 Ordinance") created the City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway to US 95) (the "District"), ordered the acquisition of certain local improvements for the District (the "Project") and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefitted lots, tracts and parcels of land in the District; and

WHEREAS, the Council has by an ordinance heretofore passed and adopted (the "Assessment Ordinance") levied assessments against the property benefitted by the improvements in the District; and

WHEREAS, the Council and the officers of the City have determined, and do hereby determine, that it is necessary and for the best interests of the City and the inhabitants thereof that the City issue its registered local improvement bonds in an aggregate principal amount not exceeding the aggregate principal amount of such assessments as remains payable in installments on the date of delivery of the bonds except as otherwise provided in Nevada Revised Statutes ("NRS") 271.360; and

WHEREAS, the Council has elected, and hereby elects, to have Chapter 348 of NRS apply to the bonds issued for the District; and

WHEREAS, the bonds issued for the District are to bear interest at the rates per annum provided in the bond purchase proposal submitted by the initial purchaser (the "Purchaser") and accepted by the City Director of Finance and Business Services (the "Finance Director"), which rates must not exceed by more than 3% of the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the bonds, and are to be sold at a price equal to the principal amount thereof, less a discount not exceeding 9% of the principal amount thereof, all as specified by the Finance Director in a certificate dated on or before the date of delivery of the bonds (the "Certificate of the Finance Director"); and

WHEREAS, the Council has previously established a Local Improvement District Special Surplus and Deficiency Fund (the "Surplus and Deficiency Fund"), in accordance with NRS 271.428.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as and may be cited by the short title "District No. 1481 Bond Ordinance" (this "Ordinance").

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers of the City (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the construction and other acquisition of local improvements, the performing of all prerequisites to the levying of special assessments and to fixing the assessment lien against the property in the District, including, without limitation, the passage and adoption of the Assessment Ordinance, and the issuance of its local improvement bonds hereby authorized in the aggregate principal amount of not to exceed $2,744,000 (the "Bonds") and the sale of the Bonds to the Purchaser is ratified, approved and confirmed, including, without limitation, the distribution of the Preliminary Official Statement for the Bonds, and the Final Official Statement in substantially the form thereof (the "Official Statement"). Pursuant to NRS 350.165, the Finance Director is authorized to accept the bond purchase proposal for the Bonds and to deliver the Certificate of the Finance Director specifying the items required by this Ordinance.

Section 3. The City covenants to receive, collect and enforce the payment of all assessments made and levied for said improvements, and all installments thereof, all interest thereon, and all penalties accrued, as provided by law and in the same manner and at the same time or times as prescribed by the Assessment Ordinance, and by this Ordinance, and to pay and disburse said payments, the installments thereof, the interest thereon, and the penalties thereto, to any person or persons lawfully entitled thereto.

Section 4. The City Treasurer is hereby authorized, empowered and directed to receive and collect all assessments levied to pay the cost of said improvements, the installments thereof, the interest thereon (at a rate to be hereafter determined), and the penalties accrued, at the time and in the manner specified in the Assessment Ordinance, and to pay and disburse such payments to the person or persons lawfully entitled to receive the same, in accordance with the ordinances and resolutions of the City heretofore or to be hereafter adopted. Except as provided in NRS 271.360 concerning assessments for which a hardship determination

has been made, all moneys received from the assessments of the District after the cash period provided in the Assessment Ordinance, both principal and interest, shall be placed in a separate fund to be designated the "City of Las Vegas, Nevada, District No. 1481 Bond Fund" (the "Bond Fund"), and shall be used as soon as the funds are available for the purpose of paying the principal of and the interest on, and prior redemption premiums, if any, on the Bonds, and for no other purpose whatsoever, and as security for such payment, said Bond Fund is hereby exclusively pledged except as otherwise specifically provided herein. The City Treasurer is also authorized, empowered and directed to receive and collect surplus local improvement district moneys, if any, pursuant to NRS 271.428 and to place all said surplus moneys, except as otherwise required by NRS 271.429, in the City's Surplus and Deficiency Fund, and to disburse therefrom said moneys for the payment of the interest on and the principal of the City's special or local improvement district bonds, including the Bonds, to the extent necessary.

Section 5. If the owner of any lot, tract or parcel of land assessed for said improvements shall be delinquent as to assessments, it shall be the duty of the Council to cause the delinquent person to be notified of such delinquency, in writing, and if such delinquency is not paid, the Council may foreclose the special assessment lien against the property or properties wherein the delinquency exists in the method now or hereafter provided by law. All of the net proceeds of collecting any delinquent assessment shall be deposited in the Bond Fund (or in the general fund of the City, to the extent provided in Section 9 of this Ordinance) and in any event in an amount of not less than the principal amount of said assessment and accrued interest thereon to the date of its collection.

Section 6. For the purpose of defraying the entire cost and expense of making said improvements (except to the extent funds are available therefor from that part of said assessments which have been heretofore paid and to the extent other funds are available therefor), there shall be issued in the name of the City, the City's fully registered (i.e. registered as to payment of both principal and interest) special assessment bonds designated as the "City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway to US 95) Local Improvement Bonds, Series, 2004" in the aggregate principal amount of not to exceed $2,744,000, which Bonds shall be dated as of their date of delivery. Except as provided in Section 13 of this Ordinance, the Bonds shall be in the denomination of $5,000 each, and such Bonds may be in any denomination which is an integral multiple of $5,000 (except for one Bond of the first maturity which may be in any denomination which is an integral multiple of $1,000), provided that 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. Such Bonds shall bear interest, at the rates per annum designated in the Certificate of the Finance Director (calculated on a 360-day year consisting of twelve 30-day months), from the most recent interest payment date for which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds, to maturity at the rates per annum designated (calculated on a 360-day year consisting of twelve 30-day months), payable semiannually on June 1 and December 1 of each year, commencing on December 1, 2004. The Bonds shall mature on the dates and in each of the years and amounts designated in the Certificate of the Finance Director.

The Bonds shall be payable in lawful money of the United States of America without deduction for exchange or collection charges at the office of the City Treasurer (the

"Paying Agent") or such other office as may be designated by the Paying Agent. If, upon presentation at, or after maturity, payment of any Bond is not made as herein provided, interest thereon shall continue at the same rate per annum until the principal thereof is paid in full. The principal of and prior redemption premiums due on any Bond shall be payable to the registered owner thereof as shown on the registration records kept by the City Treasurer, being both the registrar (the "Registrar") and paying agent for the Bonds, upon maturity thereof and upon presentation and surrender of such Bond at the Paying Agent or such other office as may be designated by the Paying Agent. Except as provided in Section 13 of this Ordinance, payment of interest on any Bond shall be made to the registered owner thereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof at his address as it last appears on the registration books kept by the Registrar (or by such other arrangement as may be mutually agreed to by the Paying Agent and any registered owner), on the fifteenth day of the calendar month preceding each interest payment date (the "Regular Record Date") or, on a special record date (the "Special Record Date") if established by the Paying Agent for the payment of defaulted interest on such Special Record Date. All such payments shall be made in lawful money of the United States of America.

Section 7. The Bonds shall be subject to prior redemption, from any legally available monies, at the option of the City from any maturities (in any order of maturity and by lot within a maturity) on any interest payment date prior to maturity, at a price equal to the principal amount thereof, accrued interest to the redemption date and at a premium of not more than three percent (3%) of the principal amount so redeemed as designated in the Certificate of the Finance Director. The prior redemption premium shall be paid from the prepayment penalty for special assessments provided for in the Assessment Ordinance, provided, however, that nothing herein shall prevent the payment of any such redemption premium from any other funds available for that purpose. The City Treasurer shall select the maturity of the Bonds to be redeemed. If less than all Bonds of a single maturity are being called, such Bonds will be selected by the Paying Agent by lot giving proportionate weight to Bonds in denominations larger than $5,000, all in such manner as the Paying Agent may determine. Whenever considered advisable by the City Treasurer and whenever funds are available for such purpose (to the credit of the District), he may require that the Paying Agent call a suitable amount of Bonds for payment. In the case of Bonds of a denomination larger than $5,000, a portion of such Bond ($5,000 or any integral multiple thereof, except for one Bond of the first maturity which may be in any denomination which is an integral multiple of $1,000) may be redeemed, in which case the Registrar shall, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof.

Unless waived by any registered owner of a Bond to be redeemed, notice of redemption shall be given by the Registrar, in the name of the City by mailing such notice at least 15 days and not more than 60 days prior to the redemption date, by first-class mail, postage prepaid, to the registered owner (initially Cede & Co.) of the Bonds to be redeemed and to the original Purchaser of the Bonds. Failure to give such notice to the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. All such notices of redemption shall be dated and shall state: (1) the redemption date, (2) the redemption prices, (3) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the

Bonds to be redeemed, (4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and (5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the office of the Paying Agent or such other office as may be designated by the Paying Agent. After such notice has been given in the manner herein provided, the Bond or Bonds called for redemption shall become due and payable on the designated redemption date; and upon presentation thereof, the City will pay the Bond or Bonds called for redemption. Installments of interest due prior to the redemption date and on the redemption date shall be payable as herein provided for payment of interest. A certificate by the Registrar that a notice of redemption has been given as herein set forth shall be conclusive and receipt by the bondowner of a notice of redemption shall not be a condition precedent to the redemption of that Bond.

Section 8. Except as otherwise provided in Section 13 of this Ordinance, the person in whose name a Bond shall be registered on the registration books kept by the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes and payment of principal of, prior redemption premium due on, and interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative (except as provided above for the payment of interest to the registered owner as of the Regular or a Special Record Date). 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.

Section 9. The Bonds and the interest thereon shall be payable from the Bond Fund, containing the receipts upon the collection thereof from the assessments levied against and secured by a lien upon the lots, tracts and parcels of land in the District. Whenever there is a deficiency in the special Bond Fund established pursuant to NRS 271.490, the deficiency must first be paid out of the City's Surplus and Deficiency Fund (to the extent any money is available therein) before any payment is made out of the general fund of the City. In the event the Bond Fund shall be insufficient to pay the Bonds and interest thereon as they become due, and the amounts, if any, in the Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the general fund of the City. In the event deficiencies are paid out of the general fund of the City, all net proceeds of collecting the delinquent assessments with respect to which such payments from the general fund of the City were required to be made shall be returned and deposited in the general fund of the City when the Bonds, both principal and interest, have been fully paid and discharged. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, City and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bonds as they become due, both principal and interest, but subject to the limitations set forth in NRS 361.453 and Section 2 of Article 10 of the Constitution of the State. The Bonds and the interest thereon are payable solely from the assessments, any moneys in the Surplus and Deficiency Fund, the general fund, and general tax proceeds pledged to the payment thereof.

Section 10. Pursuant to NRS 271.515, the Mayor, the City Clerk and City Treasurer shall each file with the Secretary of State his or her manual signature certified under

oath. Thereafter, each of the Bonds shall be signed and executed in the name of the City with the engraved, imprinted, stamped or otherwise reproduced manual or facsimile of the signature of the Mayor, the City Treasurer, shall be attested with the manual or facsimile signature of the City Clerk, and each Bond shall be authenticated by the manual signature of an authorized officer of the Registrar as hereafter provided. A printed, engraved, stamped or otherwise placed authentic or facsimile of the seal of the City shall be affixed thereto. 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 (subject to the requirement of authentication by the Registrar as hereinafter provided), notwithstanding that before the delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. Any officer herein authorized or permitted to sign any Bond at the time of its execution and of the execution of a signature certificate, may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon the Bond. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar, and such certificate of authentication of the Registrar upon any Bond shall be the only competent evidence that such Bond has been duly issued and delivered. The Registrar's certificate of authentication shall be deemed to have been duly executed by it if manually signed by a duly authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence or information relating thereto, appropriate indemnification, and such reimbursement for expenses as it may reasonably require, register and deliver to the registered owner thereof a replacement for such Bond bearing a number not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar may direct the Paying Agent to pay such Bond in lieu of replacement.

Section 11. Except as otherwise provided in Section 13 of this Ordinance, books or records for the registration and transfer of the Bonds shall be kept by the Registrar. A Bond shall be fully transferable by the registered owner thereof in person or by his duly authorized attorney on the registration records kept at the office of the Registrar, or such other office as may be designated by the Registrar, upon presentation of the Bond together with a duly executed written instrument of transfer satisfactory to the Registrar. Except as otherwise provided in Section 13 of this Ordinance, 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 contemporaneously outstanding. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of Bonds of the same maturity of other authorized denominations. The Registrar may require the owner or transferee to pay any tax or other governmental charge required to be paid with respect to such transfer, and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charges shall be levied in the case of an exchange resulting from an optional redemption. 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 date of mailing by the Registrar of a notice of prior redemption of the Bonds and ending at the close of business on the date of such mailing, or (ii)

any Bond after the mailing of notice calling such Bond, or any portion thereof, for redemption as herein provided. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for replacement as provided herein, such Bond shall be promptly canceled and destroyed by the Paying Agent or Registrar, and a certificate of such destruction shall be prepared by the Paying Agent or Registrar upon request of the City.

Section 12. Subject to the registration provisions of this Ordinance, the Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code - Investment Securities.

Section 13. (a) Notwithstanding the foregoing provisions of Sections 6 to 12 of this Ordinance, the Bonds shall initially be evidenced by one Bond for each maturity in denominations equal to the aggregate principal amount of the Bonds of that maturity. 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: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 from time to time (the "1934 Act"); 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 Council 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 Council of another depository institution acceptable to the Council 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 1934 Act, 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 Council 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 Council, 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 authorized denominations or any integral multiple thereof, as provided in and subject to the limitations of Section 6 of this Ordinance, 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 Council, 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 of this Ordinance and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the Council, the Registrar and the Paying Agent shall have no responsibility for transmitting payments to 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 Council, 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 14. Pursuant to NRS 271.505, the Bonds shall contain a recital that they are issued pursuant to Chapter 271 of NRS (the "Consolidated Local Improvements Law"), which recital shall conclusively impart full compliance with all of the provisions of the Consolidated Local Improvements Law, and all Bonds issued containing such recital shall be incontestable for any cause whatsoever after their delivery for value.

Section 15. Subject to the provisions of this Ordinance, the Bonds and certificates thereon shall be in substantially the following form, with such omissions, insertions, endorsements, and variations 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 **COUNTY OF CLARK**

NO. R-__ **$__**

CITY OF LAS VEGAS, NEVADA
SPECIAL IMPROVEMENT DISTRICT NO. 1481 – EL CAPITAN WAY
(CENTENNIAL PARKWAY TO US 95)
LOCAL IMPROVEMENT BOND
SERIES 2004A

Interest Rate	Maturity Date	Dated as of	CUSIP Number
___% per annum		Date of Delivery	517696 __

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: _____DOLLARS

The City of Las Vegas (the "City"), in the State of Nevada (the "State"), for value received hereby promises, out of funds available for the purpose as hereinafter set forth, to pay to the registered owner hereof specified above or registered assigns the principal amount specified above on the maturity date specified above with interest hereon from the date of this Bond, or from the most recent interest payment date to which interest has been paid, until maturity at the percentage rate per annum specified above, said interest being payable semiannually on the first days of June and December in each year, commencing December 1, 2004, both principal and interest being payable in lawful money of the United States of America without deduction for exchange or collection charges. The principal of this Bond shall be payable to the registered owner (as shown on the registration records) at the office of the City Treasurer in Las Vegas, Nevada (the "Paying Agent" and "Registrar"), or such other office as may be designated by the Paying Agent, upon presentation and surrender of this Bond as it becomes due. The interest hereon shall be paid to the registered owner hereof by check or draft mailed by the Paying Agent, on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to such registered owner at his address as it last appears on the registration books kept for that purpose by the Registrar on the fifteenth day of the calendar month immediately preceding such interest payment date or on a special record date established by the Registrar for the payment of defaulted interest. Alternative means of payment of interest may be used if mutually agreed to between the owner of this Bond and the Paying Agent, as provided in the ordinance authorizing the issuance of this Bond (the "Bond Ordinance"). If, upon presentation and surrender to the Paying Agent at maturity, payment of this Bond is not made as herein provided, interest hereon shall continue at the same rate per annum until the principal hereof is paid in full.

This Bond is one of a series subject to prior redemption, from any legally available monies, in any order of maturity selected by the City, at the option of the City, on any interest payment date at a price equal to the principal amount hereof, accrued interest to the redemption date and a redemption premium equal to the percentage of the principal of the Bond so redeemed as follows:

Redemption Dates	Redemption Premium
	3%
	2%
	1%
	0%

If less than all of the Bonds or portions thereof of a single maturity are being called for redemption such Bonds are to be selected by the Paying Agent by lot as provided in the Bond Ordinance. Redemption shall be made upon not less than 15 days' nor more than 60 days' prior notice by mailing to the registered owner of such Bond to be redeemed at the address shown on the registration records in the manner and upon the conditions provided in the Bond Ordinance.

This Bond is one of a series of special assessment Bonds, issued by the City, all of which are of like date and designation (but not denomination) and aggregate the total amount of _____ Dollars ($_____).

Pursuant to the Bond Ordinance, reference to which is made for further details, the payment of the principal of and the interest on the Bonds of the series of which this Bond is one, shall be made from, and as security for such payment there is pledged, a special fund designated "City of Las Vegas, Nevada, District No. 1481 Bond Fund," sometimes designated the "Bond Fund," containing the receipts upon the collection thereof from the assessments, as defined in the Bond Ordinance, levied against and secured by a lien upon the property specially benefitted by said improvements in the City of Las Vegas, Nevada, Special Improvement District No. 1481 – El Capitan Way (Centennial Parkway to US 95) (the "District"), and remaining unpaid on the date of delivery of the Bonds. The Bond Fund is and shall continue to constitute a sinking fund for and be deemed specially appropriated to the full and prompt payment of the Bonds and the interest thereon, and shall be used for no other purpose whatsoever; provided, however, that in the event said fund shall be insufficient to pay the Bonds and the interest thereon as they become due, and the moneys, if any, in the City's special Surplus and Deficiency Fund are not sufficient for that purpose, the deficiency shall be paid out of the City's general fund. If the general fund shall be insufficient to pay any such deficiency promptly, the Council shall levy, and it shall be its duty to levy, general (ad valorem) taxes upon all property in the City which is by law taxable for State, county and municipal purposes, without regard to any statutory tax limitation existing on or after May 14, 1965, and without limitation as to rate or amount, fully sufficient, after making due allowance for probable delinquencies, to provide for the prompt payment of such Bonds as they become due, both principal and interest, but subject to the limitations set forth in Nevada Revised Statutes ("NRS") 361.453 and Section 2 of Article 10 of the Constitution of the State. The Bonds and the interest thereon are payable solely from the assessments, the moneys, if any, in the City's Surplus and Deficiency Fund (as defined in the Bond Ordinance), the general fund, and general tax proceeds pledged to the payment thereof.

Said assessments made and levied to defray said cost, with accruing interest thereon, constitute a lien upon and against the property upon which such assessments were made and levied from and after the effective date of the ordinance levying assessments for the District.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this Bond exist, have happened and have been done in due time, form and manner as required by law; that the total issue of said special assessment Bonds of said City for said improvements and incidental expenses, including this Bond, does not exceed the amount authorized by law nor the total unpaid special assessments levied to cover the cost of said improvements; that this Bond is issued under the authority of the Consolidated Local Improvements Law, Chapter 271, NRS and that this Bond is incontestable for any cause whatsoever.

It is hereby further certified, recited and declared that the proceedings, with reference to making such improvements, levying the assessments to pay therefor, and issuing said Bonds, have been regularly had and taken, in compliance with law, and that all prerequisites to the fixing of the assessment lien against the property benefitted by the improvements and of the liability of the owner or owners of such property therefor have been performed.

*The Bonds of the series of which this is one are fully registered (i.e., registered as to payment of both principal and interest), and are issuable in denominations of $5,000 (except as otherwise provided in the Bond Ordinance) and any integral multiple thereof, provided that no Bond may be in a denomination which exceeds the principal coming due on any maturity date and no individual Bond may be issued for more than one maturity. Upon surrender of any of such Bonds at the Registrar with a written instrument satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney, and receipt by such Registrar of the fees and charges provided in the Bond Ordinance, such Bond may, at the option of the registered owner or his duly authorized attorney, be exchanged for an equal aggregate principal amount of such Bonds of the same maturity of other authorized denominations, subject to such terms and conditions as set forth in the Bond Ordinance.

*Except for the fifteen-day period preceding any date on which any portion of the Bonds of the series of which this Bond is one are being selected for call for prior redemption and except for any Bond so called for redemption, this Bond is fully transferable by the registered owner hereof in person or by his duly authorized attorney on the registration books kept by the Registrar upon surrender of this Bond together with a duly executed written instrument of transfer satisfactory to the Registrar, and upon the payment of all fees and charges required by such Registrar. Upon such transfer a new fully registered Bond of authorized denomination or denominations of the same aggregate principal amount and maturity will be issued to the transferee in exchange for this Bond, subject to such terms and conditions as set forth in the Bond Ordinance. 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 and for all other purposes.

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

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

This Bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN WITNESS WHEREOF, City of Las Vegas, Nevada, has caused this Bond to be signed and executed in the name of and on behalf of the City with the [manual/facsimile] signature of the Mayor of the City Council, to be countersigned with the [manual/facsimile] signature of the City Treasurer, and to be countersigned, subscribed, executed and attested with the [manual/facsimile] signature of the City Clerk, has caused the [authentic/facsimile] of the corporate seal of the City to be affixed hereon, and has caused this Bond to be dated as of the date specified above.

(For [Manual/Facsimile] Signature)
Mayor

Countersigned:

(For [Manual/Facsimile] Signature)
City Treasurer

(AUTHENTIC OR FACSIMILE SEAL)

Attested and Countersigned:

(For [Manual/Facsimile] Signature)
City Clerk

*Insert only if Bonds are delivered pursuant to Section 13A(3) of this ordinance.
**Insert only if Bonds are initially delivered to The Depository Trust Company pursuant to Section 13(A) of this ordinance.

(Form of Registrar's Certificate of Authentication)

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

Date of Registration: _____

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

TREASURER, CITY OF LAS VEGAS
as Registrar

By (Manual Signature)
Authorized Officer

(End of Form of Registrar's Certificate of Authentication)

**(Form of Prepayment Panel)

PREPAYMENT PANEL

The following installments of principal (or portions thereof) of this Bond have been prepaid in accordance with the terms of the ordinance authorizing the issuance of this Bond.

Date of Prepayment	Principal Prepaid	Signature of Authorized Representative of DTC
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(End of Form of Prepayment Panel)**

(Form of Assignment Provision)

ASSIGNMENT PROVISION

For value received, the undersigned hereby sells, assigns and transfers unto _____ _____ _____ the within Bond and hereby irrevocably constitutes and appoints _____ attorney in fact, to transfer the within Bond on the books of the Registrar, with full power of substitution in the premises.

Dated: _____ _____

_____
Signature Guaranteed

_____

_____
Signature Must Be Guaranteed By A Member Firm Of The National Association Of Securities Dealers Or By A Commercial Bank or Trust Company

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.

Name of Transferee: _____

Address of Transferee: _____

Taxpayer Identification or
Social Security Number(s) _____

Transfer fees must be paid to the Registrar in order to transfer or exchange this Bond as provided in the Bond Ordinance.

(End of Form of Assignment)

Section 16. When the Bonds have been duly executed and authenticated, they will be delivered to the Purchaser on receipt of the agreed purchase price. The proceeds realized from the sale of the Bonds (net of any discount), including any investment income therefrom, shall be applied solely to defray the cost and expense of making said improvements; provided, however, that after said cost and expenses are paid (excepting any portion to be paid with other than special assessment proceeds), any funds remaining from the sale of the Bonds shall be deposited in the Bond Fund and used for the purposes therefor specified in Section 4 of this Ordinance; and provided further, that all moneys received as accrued interest and premium at the time of delivery of any of the Bonds shall be deposited into the Bond Fund to apply to the payment of interest next due on the Bonds. The Purchaser, however, shall in no manner be responsible for the application by the City, or any of its officers, agents or employees, of any of the funds derived from the sale thereof or of any other funds herein designated.

Section 17. So long as any of the Bonds remain outstanding, the City will keep or cause to be kept true and accurate books of records and accounts showing full and true entries covering the collection and disposition of said special assessments, as well as any delinquencies in the collection thereof, covering deposits in and disbursements from the Bond Fund, covering deposits in and disbursements from the Surplus and Deficiency Fund, covering the redemption of the Bonds both principal and interest, and covering disbursements to defray the costs of said improvements, including incidental expenses; and the City will permit an inspection and examination of all books and accounts at all reasonable times by any representative of any of the original purchasers of the Bonds.

Section 18. The Finance Director is authorized to execute the proposal to purchase the Bonds submitted by the Purchaser in accordance with the provisions of this Ordinance. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the Bonds from Zions Bank, and this consent shall constitute a written agreement required by NRS 350.810. The designation of the Official Statement by the Finance Director of the City as a "nearly final Official Statement" for purposes of Rule 15c2-12 of the Securities and Exchange Commission is hereby ratified, approved and confirmed.

Section 19. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing:

(a) the printing of the Bonds, including, without limitation, the printing of such additional blank Bonds as shall be required by the Registrar, and the printing on each Bond (or appending thereto) of a statement of insurance, if applicable; and

(b) the printing, distribution and execution of the final official statement for the Bonds (the "Final Official Statement") in substantially the form on file with the City Clerk, but with such amendments, additions and deletions as are in accordance with the facts and not inconsistent herewith, and are approved by the execution of the Final Official Statement by the officials designated therein;

(c) the execution of such certificates as may be reasonably required by the Purchaser, relating, inter alia, to the signing and registration of the Bonds, the tenure and

identity of the officials of the Council and the City, the delivery of the Bonds, the designation of the Paying Agent and the Registrar, the receipt of the purchase price for the Bonds, the exemption of interest on the Bonds from federal and state income taxation, and if it is in accordance with fact, the absence of litigation, pending or threatened, affecting the validity thereof. It shall be the duty of the proper officers of the City to hereafter take all action necessary for the City to comply with the provisions of Chapter 271, NRS, as hereafter amended and supplemented from time to time;

(d) the execution by the Finance Director of the purchase proposal between the Purchaser and the City; and

(e) the completion and execution by the Finance Director of the Certificate of the Finance Director in accordance with the provisions of this Ordinance.

Section 20. Any registered owner of any one or more of the Bonds may, either at law or in equity, by suit, action, mandamus or other appropriate proceeding in any court of competent jurisdiction, protect the liens created by this Ordinance on the proceeds of said assessments, and may by suit, action, mandamus or other appropriate proceeding enforce and compel the performance of any duty imposed upon the City by the provisions of this Ordinance, or any ordinance heretofore adopted concerning the District, including without limiting the generality of the foregoing, the segregation of special assessments, the proper application thereof, and the appointment of a receiver. The failure of any Bondowner to proceed shall not relieve the City or any of its officers, agents or employees of any liability for failure to perform any such duty.

Section 21. The City covenants for the benefit of the registered 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 facilities 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 Internal Revenue Code of 1986, as amended to the date of delivery of the Bonds (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 adjustments 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.

Section 22. The City covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate relating to the Bonds, a copy of which is on file for public inspection in the office of the City Clerk. In the event the City fails to comply with the Continuing Disclosure Certificate, any holder or beneficial owner of the Bonds may take the remedial actions set forth therein. Breach of the undertakings of the City in the Continuing Disclosure Certificate shall not constitute a default of this Ordinance.

Section 23. When all of the principal of, interest on and prior redemption premiums due in connection with any Bond have been duly paid, the pledge, the lien, and all obligations hereunder shall thereby be discharged as to the Bond and the Bond shall no longer be deemed to be outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment 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 bills, certificates of indebtedness, notes, Bonds or similar securities which are direct obligations of, or the principal of and interest on which are unconditionally guaranteed by the United States ("Federal Securities") in which such amount may be initially invested wholly or in part) to meet all principal of and the interest on, and prior redemption premium, if any, on the Bond, as the same become due. 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 holders thereof to assure availability as 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 24. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed, and this Ordinance shall be irrepealable until the Bonds and the interest thereon shall be fully paid, satisfied and discharged, as herein provided.

Section 25. This Ordinance may be amended (except for the provisions of Section 13 of this Ordinance) or supplemented by an ordinance or ordinances adopted by the Council, without the receipt by the City of any additional consideration, with the written consent of the owners of sixty percent (60%) of the Bonds outstanding at the time of the adoption of such amendatory or supplemental ordinance, provided, however, that no such ordinance shall have the effect of permitting:

a. an extension of the maturity of any Bond authorized by this Ordinance; or

b. a reduction in the principal amount of any Bond or the rate of interest thereon; or

c. the creation of a lien upon or a pledge of property, revenues or funds, ranking prior to the liens or pledges created by this Ordinance; or

d. a reduction of the principal amount of Bonds required for consent to such amendatory or supplemental ordinance.

Section 26. Pursuant to NRS 271.520, the Bonds, their transfer, and the income therefrom, shall forever be and remain free and exempt from taxation by the State and any subdivision thereof, except for the tax on estates imposed by Chapter 375A of NRS, or the tax on generation-skipping transfers imposed pursuant to the provisions of Chapter 375B of NRS.

Section 27. The Council does hereby find and declare that the life of the improvements to be acquired with the proceeds obtained from the sale of the Bonds shall be not less than the twenty (20) year period during which the Bonds mature.

Section 28. If the Registrar or Paying Agent initially appointed hereunder shall resign, or if the Council shall determine to remove the Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any Bond at his address last shown on the registration books, appoint a successor Registrar or Paying Agent, or both. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder. Any corporation, association, or agency into which the Registrar or the Paying Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, automatically shall be and become successor registrar or paying agent hereunder and vested with all of the powers, discretions, immunities, privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

Section 29. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2004A, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

PUBLIC NOTICE IS HEREBY GIVEN 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 the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on May 5, 2004 and will be considered for adoption at the regular meeting of the City Council to be held on May 19, 2004.

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 30. This Ordinance shall be in effect on the date of publication as hereinafter provided. After this Ordinance is adopted and 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 Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:

(Form of Publication)

BILL NO. ____
ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REGISTERED LOCAL IMPROVEMENT DISTRICT BONDS, SERIES 2004A, FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1481 – EL CAPITAN WAY (CENTENNIAL PARKWAY TO US 95) TO FINANCE THE CONSTRUCTION OF LOCAL IMPROVEMENTS.

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on May 5, 2004 and that such Ordinance was passed at a regular meeting of the City Council on May 19, 2004 by the following vote of the City Council:

Those Voting Aye: Oscar B. Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Janet Moncrief

Those Voting Nay: _____
Those Absent: _____

This Ordinance shall be in full force and effect from and after the ____ day of May, 2004 i.e., the date of 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 May 19, 2004.

/s/ Oscar Goodman
Mayor

Attest:

/s/ Barbara Jo Ronemus
City Clerk

(End of Form of Publication)

Section 31. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Adopted on May 19, 2004.

_____
Mayor

Attest:

_____
City Clerk

The ordinance has been reviewed by the Deputy City Attorney:

Madeline T. Dickman-DiCicco
Deputy City Attorney

This Ordinance shall be in full force and effect from and after May __, 2004, i.e., the day after the publication of such Ordinance by its title only.

STATE OF NEVADA)
) **ss.**
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), 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 May 5, 2004 and finally adopted and approved on May 19, 2004.

2. The following members of the Council were present at the May 5, 2004 Council meeting:

Mayor:	Oscar Goodman
Councilmembers	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief

2. The foregoing Ordinance was first proposed and read by title to the City Council on May 5, 2004, and referred to a committee composed of the _____ _____ for recommendation; thereafter said committee reported favorably on said Ordinance on May 19, 2004, which was a regular meeting of said Council; that as 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 May 19, 2004 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Janet Moncrief
Those Voting Nay:	_____
Those Absent:	_____

3. 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.

4. All members of the Council were given due and proper notice of the meetings held on May 5, 2004 and May 19, 2004.

5. All members of the Council were given due and proper notice of the meetings. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

(a) By posting a copy of the notice 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 other separate, prominent places within the jurisdiction of the Council, to wit:

(a) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada

(b) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada

(c) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(d) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada

(e) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested 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 the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibits A and B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this May __, 2004.

_____

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting held May 5, 2004)

EXHIBIT B

(Attach Copy of Notice of Meeting held May 19, 2004)

EXHIBIT C

(Attach Affidavit of Publication of Filing of Bond Ordinance)

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

City of Las Vegas

Agenda Item No. 78

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: CITY CLERK
DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

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

MOTION:
REESE – Motion to HOLD IN ABEYANCE Item 100 [SUP-3152] to 7/7/2004, Item 104 [SUP-3972], Item 115 [ZON-3708] to 5/19/2004, Item 123 [GPA-3977], Item 124 [ZON-3981], and Item 125 [SDR-3982] to 6/16/2004, and Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 114 [SDR-3920], Item 119 [SUP-3980] and Item 120 [SDR-3979] – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
MAYOR PRO TEM REESE announced that MAYOR GOODMAN would be excused for the afternoon session of the meeting, as he had to take his mom to the hospital. MAYOR PRO TEM REESE wished her a speedy recovery.

DEPUTY CITY ATTORNEY BRYAN SCOTT advised COUNCILMAN MACK that he has a conflict on Items 119 [SUP-3980] and 120 [SDR-3979] that have been requested be held in abeyance and recommended that he abstain from voting. COUNCILMAN MACK disclosed that although POUY PREMSRIRUT no longer represents Las Vegas Previews or Ipolitics, companies he is involved with, he does not believe the financial relationship with that firm has been terminated at this time. However, he was advised by the City Attorney's Office that he could vote on the abeyance for Items 119 [SUP-3980] and 120 [SDR-3979].

DEPUTY CITY ATTORNEY SCOTT stated that MAYOR GOODMAN and COUNCILMAN MACK asked that the City Attorney give an opinion as to whether or not they should or should not abstain. He submitted the opinion for the record filed under Item 78 [Any Items] indicating that both the Mayor and the Councilman abstained. He indicated that COUNCILMAN MACK would be abstaining on Item 88 [VAC-3926], Item 103 [SUP-3969], Item 118 [ZON-3976], Item 119 [SUP-3980] and Item 120 [SDR-3979]. MAYOR GOODMAN would be abstaining on Item 59 [Jason Samuel Aguirre, dba Myo Works], Item 100 [SUP-3152], Item 101 [AUP-3947], Item 103 [SUP-3969], Item 104 [SUP-3972], Item 105 [SUP-3973], Item 113 [ZON-3919], Item 114 [SDR-3920], Item 118 [ZON-3976], Item 119 [SUP-3980], Item 120 [SDR-3979], Item 123 [GPA-3977], Item 124 [ZON-3981] and Item 125 [SDR-3982]. MAYOR PRO TEM REESE verified with DEPUTY CITY ATTORNEY SCOTT that in those cases where COUNCILMAN MACK cannot vote, the number of the Board will be reduced to six and the quorum will be four. COUNCILMAN MACK remarked that he would disclose his abstention under each individual item as well.

(1:22 – 1:28)

Memorandum

City of Las Vegas
Office of the City Attorney

To: Mayor Oscar B. Goodman

From: Bryan K. Scott
Deputy City Attorney

CC: Bradford R. Jerbic
City Attorney

Date: May 4, 2004

Re: Request for Opinion on Abstentions for 5/5/04 City Council Meeting

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This memorandum is written in response to your request for an opinion from the City Attorney's Office regarding whether you are required to abstain on items 59, 100, 101, 103 , 104 , 105 , 113, 114, 118, 119, 120, 123, 124, and 125 which are to be considered by the City Council at its May 5, 2004 meeting.

Items 59 and 101 are related items and concern a license and Special Use Permit to operate a proposed massage establishment by Jason Aguirre. The owner of the property is THL, LLC. The applicant has indicated on his Statement of Financial Interest that partners of yours in Apex Industrial, namely Ed Hoffman, Joanne Levy and Andrew Levy have a financial interest in this venture.

Items 100, 104 and 105 involve Special Use Permits for off-premise advertising signs (billboards) at various locations within the City's jurisdiction. You have informed me that partners in your law firm (Goodman & Chesnoff) are negotiating with several sign companies to perform legal work on their behalf. The approval of the billboards by the City Council may benefit your law partners financially, which in turn could benefit you financially, depending on your partnership agreement with the law firm.

Items 113 and 114 are related items and concern a request for a Rezoning and a Site Development Plan Review for Cornerstone Company. Cornerstone Company is a company owned by Rick Truesdell, Chairman of the City Planning Commission. At City Council meetings held on November 6, 2002 and December 4, 2002, VAC-0070-02 was considered by the City Council. That Vacation was submitted by Cornerstone Development on behalf of Chetak Development. At the above-referenced City Council meetings, you disclosed a long-time personal friendship with Mr. Truesdell and did not participate in the discussion or vote on the Vacation. You have informed me that your friendship with Mr. Truesdell continues to this date. The City Council decision in this matter would directly affect Mr. Truesdell's financial interests.

Items 118, 119, 120 are related items and concern applications by Chrysalis Investments, LLC for a Rezoning, Special Use Permit and Site Plan Review for a proposed mini-warehouse. It is my understanding from speaking with City Staff that your son, Eric Goodman, Esq., has been retained by Chrysalis Investments, Inc. to represent their various interests. The City Council's decisions in this matter would directly affect Chrysalis Investments' financial interests, which could in turn affect Eric's financial interests.

Submitted at City Council
Date 5/5/04 Item #78

Items 123, 124, 125 are related items and concern a General Plan Amendment, Rezoning and Site Development Plan Review for a proposed 11,200 square foot medical office adjacent to the northeast corner of Rancho Drive and Oakey Drive. The area in question affects the adjacent Scotch 80s neighborhood where you reside. The City Council's decisions on these matters may affect property values within the Scotch 80s neighborhood, which may directly impact you financially.

NRS 281.501(2) provides:

> In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of. . .a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (b) His pecuniary interests; or (c) His commitment in a private capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (a) who is a member of his household, (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity; (d) with whom he has a substantial and continuing business relationship; or (e) any other commitment or relationship that is substantially similar to commitment or relationship described in this subsection.

In light of the above, it is the conclusion of the City Attorney that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussion and vote on all of the above-referenced items.

Item 103 concerns a Special Use Permit for a proposed Financial Institution, Specified. In the past, you have abstained from the discussions and votes on these matters because your son, Eric Goodman, Esq. had been retained by Check City and Rapid Cash to represent their interests in opposing the City's proposal to require a 1,000 foot distance separation between Financial Institutions, Specified (Bill No. 2003-78). That Bill was adopted by the City Council at its April 21, 2004 meeting. Since the subject matter of Eric's retention no longer exists, you may now vote on applications concerning Financial Institutions, Specified, except those applications submitted by Rapid Cash or Check City, until such time as Eric's representation of those entities ceases.

If any of the above-referenced items are abeyed, tabled or withdrawn at the May 5, 2004 meeting, you may vote on the motion to abey, table or withdraw the item as those are not substantive motions. If those items come back to Council for rehearing, you will again need to disclose your conflicts and abstain from voting.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

Memorandum

City of Las Vegas
Office of the City Attorney

To: Councilman Michael Mack

From: Bryan K. Scott
Deputy City Attorney

CC: Bradford R. Jerbic
City Attorney

Date: May 4, 2004

Re: Request for Opinion on Abstentions for 5/5/04 City Council Meeting

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This memorandum is written in response to your request for an opinion from the City Attorney's Office regarding whether you are required to abstain on items 88, 103, 118, 119 and 120 which are to be considered by the City Council at its May 5, 2004 meeting.

Item 88 is an application submitted by Steadfast AMX I, LLC and Steadfast AMX II, LLC for a petition to vacate Third Street between Ogden Avenue and Stewart Avenue. This application is for the Lady Luck Hotel and Casino. The purpose of the Vacation, as stated by the applicant in its application, is to "aid in the revitalization of Downtown by proposing a pedestrian mall that would include nightclubs, restaurants, boutique retail stores and a staging area for concerts". Such a venue could bring additional pedestrian traffic to the Downtown area and patrons to the Lady Luck. You have informed me that your brother-in-law, Andrew Donner, is a owner/partner in a company known as Resort Gaming Group which has a contract to manage the gaming operations of the Lady Luck Hotel and Casino. The proposed Vacation application could have a significant impact on the Lady Luck's business if it is approved by the City Council.

Item 103 concern an application by Advance America, Cash Advance Centers of Nevada, Inc seeking approval of a Special Use permit to operate a Financial Institution, Specified at 5950 W. Charleston Boulevard. You have informed me that Super Pawn is owned by your Brother, Steven Mack, and that you are a paid consultant for Super Pawn. Part of Super Pawn's business involves the loaning of money to individuals on a short-term basis, similar to that of the applicant in item 103. The proposed Special Use Permit could have an impact on Super Pawn's business.

Items 118, 119, 120 are related items and concern applications by Chrysalis Investments, LLC for a Rezoning, Special Use Permit and Site Plan Review for a proposed mini-warehouse. It is my understanding from speaking with City Staff that Eric Goodman, Esq. has been retained by Chrysalis Investments, Inc. to represent their various interests. Eric Goodman is a partner in the law firm of Goodman, Brown & Premsrirut. Pouy Premsrirut, Esq. was retained to perform legal work for Las Vegas Previews - a company that you have a financial interest in. Although Ms. Premsrirut no longer performs legal work for Las Vegas Previews, the final bill for her services has not been billed to or paid by you. A percentage of each law partner's fees goes toward certain expenses of the law firm, therefore Eric Goodman has a financial interest in Ms. Premsrirut's clients.

Submitted at City Council
Date 5/5/04 Item #78

NRS 281.501(2) provides:

> In addition to the requirements of the code of ethical standards, a public officer shall not vote upon or advocate the passage or failure of. . .a matter with respect to which the independence of judgment of a reasonable person in his situation would be materially affected by (c) his commitment in a private capacity to the interests of others.

NRS 281.501(8) defines "commitment in a private capacity to the interests of others" as a commitment to a person: (b) who is related to him by blood, adoption or marriage within the third degree of consanguinity or affinity, (c) who employs him . . . or (d) with whom he has a substantial and continuing business relationship.

In light of the above, it is the conclusion of the City Attorney that you should disclose the factual circumstances surrounding your potential conflicts on the record and abstain from the discussions and votes on all of the above-referenced items.

If any of the above-referenced items are abeyed, tabled or withdrawn at the May 5, 2004 meeting, you may vote on the motion to table, abey or withdraw the item as those are not substantive motions. If those items come back to Council for rehearing, you will again need to disclose your conflicts and abstain from voting.

If you have any additional questions regarding any of the above, please feel free to contact me at ext. 6621.

BKS:b

City of Las Vegas

Agenda Item No. 79

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: ORLANDO SANCHEZ [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
Public hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2004 Action Plan of the HUD Consolidated Plan for allocation of $11,909,700 - All Wards

Fiscal Impact

[ ]	**No Impact**	**Amount:** $11,909,700
[X]	**Budget Funds Available**	**Dept./Division:** Neigh. Svcs./Neigh. Devel.
[ ]	**Augmentation Required**	**Funding Source:** CDBG/HOME/HOPWA/ESG

PURPOSE/BACKGROUND:
In order to receive federal and state funds for housing and community development activities, the City, in conjunction with Clark Co., must submit an Action Plan (see attachment) to the U.S. Dept. of Housing and Urban Development (HUD) no later than May 15, 2004. The Action Plan indicates the amount of funding allocated to each local jurisdiction for the period of July 2004 through June 2005. The funding sources include Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons With AIDS (HOPWA).

RECOMMENDATION:
Staff recommends to approve, adopt, and authorize submittal of the Action Plan to the Department of Housing and Urban Development (HUD) including consideration of public comment as required by HUD.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Excerpt of Action Plan pertaining to City of Las Vegas

MOTION:
BROWN – APPROVED – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed that he is a consultant for a SuperPawn owned by his brother, STEVEN MACK. Although, located in the vicinity, he does not believe it will have any effect on the business and will be voting on this item.

CITY COUNCIL MEETING OF MAY 5, 2004
Neighborhood Services
Item 79 – Public Hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2004 Action Plan of the HUD Consolidated Plan for allocarion of $11,909,700

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

TIM WHITWRIGHT, Senior Planner, Neighborhood Services, explained that the item is a draft Action Plan, which is to be submitted to the Department of Housing and Urban Development (HUD). In order for the City to receive federal and state funds for housing and community development activities, the City, in conjunction with Clark County, must submit the plan to HUD no later than May 15, 2004. The Action Plan shows how funds are allocated to the City through four programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and the Housing Opportunities for Persons with AIDS (HOPWA). The draft plan will indicate the projects and programs, which the Council approved in March 17, 2004 based upon recommendations from the Community Development Recommending Board. The Plan will also indicate the methods of distributions of these funds, as well as the coordination of housing and community efforts within the City.

MR. WHITRIGHT added that the citizen participation process included four focus group meetings held in August 2003, at the beginning of the process. The meetings were conducted within West Las Vegas, Downtown, East Las Vegas and Meadows Village areas. The purpose was to obtain the community priorities from the perspective of the residents. The draft Action Plan was made available for public review on April 5, 2004 for a 30-day comment period. The total funding is $11, 909,700 in state and federal grant funds. Copies of the plan were distributed to 49 sites, which included schools, libraries and community centers in order to get comments from the residents. MR. WHITWRIGHT recommended approval.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:28 – 1:31)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: NEIGHBORHOOD SERVICES
ITEM DESCRIPTION: Public hearing and possible action on the submittal of the Clark County and City of Las Vegas Housing and Urban Development (HUD) 2004 Action Plan of the HUD Consolidated Plan for allocation of $11,909,700 - All Wards

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The Action Plan indicates the methods for distributing funds among those projects and programs approved by the City Council at the March 17, 2004 public hearing and describes the strategies for coordinating housing and community development activities.

Neighborhood meetings were held in August 2003 to update community needs priorities from the perspective of the residents in the following low income target neighborhoods:

Meadows Village (Census Tract 11.00)
West Las Vegas (Census Tracts 3.01, 3.02 & 35.00)
East Las Vegas (Census Tracts 5.03 & 5.04)
Downtown (Census Tracts 4.00, 6.00, 7.00, 8.00, & 9.00)

The established priorities were then furnished to a 24-member citizen board, the Community Development Recommending Board (CDRB) to assist them in making recommendations to the City Council on the allocation of grant funds.

A public hearing was held before Mayor and City Council on March 17, 2004 and all recommendations by the CDRB were approved. Copies of the Action Plan have been distributed to 49 sites, including schools/community schools, track breaks, libraries and community centers for public review and comment. It is expected that HUD will approve the Action Plan by mid-June 2004.

CITY OF LAS VEGAS

Citizen Participation

The City announced the availability of funds under the Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), Housing Opportunities for Persons With AIDS (HOPWA) and Emergency Shelter Grant (ESG) programs in September of 2003.

To ensure citizen and non-profit participation in the Consolidated Plan process, the City of Las Vegas sponsored five "Community Needs and Priorities Review" focus group meetings in August 2003. Furthermore, the City mailed approximately 20,000 surveys to residents within the CDBG Target Area and distributed surveys to non-profit service providers, Resident Councils and residents of Las Vegas Housing Authority developments located within the CDBG Target Area. The surveys elicited a strong 10% response rate from citizens who shared their concerns and comments regarding needed improvements and services in their neighborhoods. Furthermore, Neighborhood Services Planning staff has contacted these individuals to ensure their concerns and comments receive a response. A community needs meeting was also conducted with non-profit agencies to share their information regarding community needs within each of their respective service fields. Projects or programs which attempt to meet one or more of the community priorities discussed at those public meetings receive higher consideration by the Community Development Recommending Board (CDRB).

The CDRB is a citizen's advisory group, appointed by the City Council. Its members are appointed to represent the concerns and opinions of the community in advising the City of Las Vegas on the allocation of CDBG, HOME, HOPWA and ESG funds, including review and evaluation of proposed community development projects. CDRB members represent target neighborhoods and populations, including low-income, disabled, minorities, elderly and the community at large.

Through a series of open meetings, and with the assistance of the Neighborhood Services Department staff, the CDRB reviews past projects, examines changes in community needs and explores trends as they affect community development as outlined in the HUD Consolidated Plan (HCP), and subsequently evaluates and recommends projects to the City Council. To arrive at a sound recommendation, the CDRB uses a review process that includes a careful evaluation of each eligible proposal within the context of program design and against program criteria and current objectives, both national and those outlined in the HCP. As part of their review, CDRB members consider the ability of the participating parties to carry out the requirements of a performance agreement.

Federal State and Local Resources

The City of Las Vegas Action Plan 2004 includes $10,129,280 federal and $1,566,598 state/local grants for a total of $11,909,200. These funds originate from the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), HOME Investment Partnership Act (HOME), Low Income Housing Trust Fund (LIHTF) and Housing Opportunities for Persons With AIDS (HOPWA) programs. The Funding Summaries Figure 16 lists these programs indicating which are federal and state as well as any estimated program income. A description of each program is provided within the Executive Summary.

Figure 16
City of Las Vegas Funding
Action Plan 2004

Program Description	Grant Allocation	Program Income	Grand Total
Community Development Block Grant (CDBG)			
CDBG Public Service and Development Project Funding			
CDBG Public Service Projects	$918,300	0	$918,300
CDBG Sub-Recipient Construction Projects	$879,163	0	$879,163
CDBG Housing Acquisition – Emerald Breeze	$1,333,280	0	$1,333,280
Subtotal	$3,130,743	0	$3,130,743
City of Las Vegas CDBG Funded Programs			
Housing Rehabilitation Mobile Homes & Emergency Repair Grant Programs	$150,000	0	$150,000
East Las Vegas Community Center	$1,046,857	0	$1,046,857
CDBG Future Rehabilitation/Construction Projects	$370,000	$160,000	$607,693
Subtotal	$1,566,857	$160,000	$1,726,857
City of Las Vegas CDBG Administration			
CDBG Administration & Fair Housing	$1,224,400	0	$1,224,400
Housing Rehabilitation Administration	$200,000	0	$200,000
Subtotal	$1,424,400	0	$1,424,400
Total CDBG Funds	**$6,122,000**	**$160,000**	**$6,282,000**
Emergency Shelter Grant (ESG)			
Total ESG Funds	$227,048	$1,776	$228,824
Future ESG Projects	$0	$35,556	$35,556
Total ESG Funds:	**$227,048**	**$37,332**	**$264,380**

Figure 16 Continued
City of Las Vegas Funding
Action Plan 2004

Program Description	Grant Allocation	Reprogram Funds	Grand Total
HOME Investment Partnership Act (HOME)			
Federal HOME Funds	$2,554,221	0	$2,554,221
State of Nevada HOME Funds	$465,632	0	$465,632
American Dream Downpayment Initiative FY 03	$142,205	0	$142,205
American Dream Downpayment Initiative FY 04	$167,806	0	$167,806
Total HOME Funds	**$3,329,864**	**0**	**$3,329,864**
State of Nevada Low Income Housing Trust Fund (LIHTF)			
Total LIHTF Funds	**$1,100,966**	**0**	**$1,100,966**
Federal, State HOME and LIHTF Allocations			
HOME / LIHTF Subrecipient Allocations	$1,910,300	0	$1,910,300
Las Vegas Housing Rehabilitation Program	$400,000	0	$400,000
American Dream Downpayment Assistance	$310,011	0	$310,011
Homebuyers Assistance Program	$400,000	0	$400,000
Future CLV Veterans and Senior Housing	$1,155,097	0	$1,155,097
City of Las Vegas HOME Administration	$255,422	0	$255,422
Total HOME / LIHTF Allocations	**$4,430,830**	0	**$4,430,830**
Housing Opportunities for Persons With AIDS (HOPWA)			
HOPWA Subrecipient Allocations	$888,520	$16,490	$905,010
HOPWA Administration Allocation	$27,480	0	$27,480
Total HOPWA Funds	**$916,000**	**$16,490**	**$932,490**
Total State Funds	$1,566,598	0	$1,566,598
Total Federal Funds	$10,129,280	$213,822	$10,343,102
Total Federal and State Funds	**$11,695,878**	**$213,822**	**$11,909,700**

Other Resources

18% Redevelopment Set-Aside for Affordable Housing

In 1993, the Nevada legislature passed a statute, which requires that the redevelopment agency of a city whose population is 200,000 or more set aside not less than 15% of its tax revenue "to increase, improve and preserve the number of dwelling units throughout the community for low-income households". This Set-Aside was increased to 18% in 1999. The City utilizes a Request For Proposal process to encourage non-profit developers and/or partnerships among both non-profit and for-profit developers to increase the City's multiple family and single-family affordable housing stock. The City anticipates an approximate annual amount of $500,000 this program year.

Private Activity Bond Volume Cap

The City of Las Vegas receives a proportionate share of the State's Private Activity Bond Volume Cap and uses it to induce private developers to build or acquire and rehabilitate multifamily affordable housing projects. Developers use the proceeds from the sale of bonds for construction of affordable housing projects. During the 2003-2004 Program Year the City allocated $57,480,746 toward the following:

➢ Sundance Village Apartments	Acquisition and rehabilitation of 532 units for affordable multi-family housing	$21,817,800
➢ SDA Senior Housing I	New construction of 80 affordable senior housing units	$4,910,000
➢ SDA Senior Housing II	New construction of 80 affordable senior housing units	$4,910,000
➢ Future Multi-family project	Unidentified	$13,680,000
➢ State of Nevada low-interest Homebuyer Loan Program	Low interest home loans	$12,162,946

The application for 2004-2005 Private Activity Bonds will be completed subsequent to the distribution of the Action Plan; therefore, those funding amounts are not included herein.

General Obligation Bond

The City issued $8 million dollars of General Obligation Limited Tax Building Bonds over a 10-year period to construct the East Las Vegas Community Center on the former site of the Armory. The Bonds will be paid back yearly through HUD Community Development Block Grant (CDBG) allocations. This year's bond payment will be $1,046,857. The City, and ultimately HUD, will spend less CDBG funds than through a Section 108 loan request.

Economic Development

Revolving Loan Fund

The City has discontinued funding allocations and loan provision through its revolving loan fund program. The city will continue to collect on existing loans until all have been resolved, at which time the entire program will be dissolved.

Employment Opportunities

The City is attempting to address the need for job training that will translate into higher wage jobs as well as support the opportunities for entry-level positions through existing resources. The Neighborhood Services Department has allocated funds not used from the previous year by sub-recipient agencies to assist the Culinary Union in developing a feasibility study to determine the most efficient method of increasing their training capacity. The intent is to provide workers the means to obtain higher wage positions as well as increase graduate numbers to approximately 5,000 annually.

The Weather Shelter Program

In 1989, the City authorized funds to be made available to three primary providers of emergency shelter services to the homeless within the jurisdictional boundaries of the City. Recent shifts in HUD policy from the provision of emergency shelter to an emphasis on permanent supportive housing have affected the use of the Weather Shelter Funds. The city of Las Vegas has begun to leverage HOME funds to establish "housing first" programs, which have allowed the city to use Weather Shelter funds for other essential needs. In addition, the recent formation of the Technical Committee on Homelessness, a subcommittee of the Southern Nevada Regional Planning Coalition (SNRPC), has reemphasized a cooperative, regional approach to addressing homelessness in Southern Nevada. As part of the cooperative approach, Weather Shelter funds have been allocated to the provision of emergency winter shelter, support of a Regional Homeless Services Coordinator, purchase and implementation of a Homeless Management Information System (HMIS), and ongoing operational costs for the new Community Assistance Center (CAC) that will serve as a one-stop shop for homeless services. The city of Las Vegas expects ongoing cooperation with the SNRPC Technical Committee on Homelessness, using Weather Shelter funds to augment various homeless-related regional projects.

Leverage of Private and Non-Federal Resources

The City uses HOME funds to leverage 18% Redevelopment Set-Aside Program funds and Private Activity Bonds for the development of affordable housing projects. CDBG, HOME, ESG and HOPWA grant funds are all used to leverage private funds obtained by non-profit subrecipients.

Matching of HUD Program Funds

The State LIHTF is used as a matching fund for HOME program funds, while non-profit subrecipients provide the required match for ESG grant funds.

Housing Activities To Be Undertaken

This section is based upon the Five Year Strategic Plans for Housing, Homeless and Community Development. The following Annual Plans contain the descriptions of activities that will be undertaken

by the City during the 2004/2004 program year to accomplish the goals set forth in the Consolidated Plan Strategies including the number and type of families targeted.

Housing Annual Plan

As noted within the Housing five year strategic plan, the priorities are as follows:

- Affordable Housing

  High Priority:

  2. Extremely low-income and low-income renter households
  3. Extremely low-income and low-income existing owner households
  4. All first-time homebuyers
  5. Persons with special needs

  Medium Priority:

  1. Moderate-income renter households
  2. Moderate-income existing owner households

- Strategy to Remove Barriers to Affordable Housing

  1. Reduce governmental and non-governmental barriers to the production of affordable housing

- Strategy to Affirmatively Further Fair Housing

  1. Address Impediments to Fair Housing choice as identified in the Analysis of Impediments Study

- Strategy to Reduce Lead Based Paint Hazards

  1. The City will participate with the Consortium jurisdictions to reduce lead-based paint hazards

The City of Las Vegas is a member of the Urban County HOME Consortium, which receives federal HOME, State HOME and State Low Income Housing Trust Fund (LIHTF) money. The HOME and LIHTF programs have similar requirements, and thus, the Consortium administers the programs for the members. Therefore, HOME and LIHTF funded programs are listed under the Urban County Project Tables or the State HOME/LIHTF Project Tables.

Figure 17
City of Las Vegas Housing Activities
Action Plan 2004

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Use existing and create new rental housing stock to reduce cost burden for extremely low- and low-income renter households						
H-1	Acquisition and rehabilitation of existing rental housing units by non-profit and for profit developers	Acquire and rehabilitate 200 existing rental units	US Veterans Initiative – LV Residence Hall / 30 units	$300,000	HOME/ LIHTF	92
H-1	Las Vegas Housing Authority Section 8 Moderate Rehabilitation program provides affordable housing through incentives to private sector owners who modernize existing units and make them available at an affordable rate	Provide 100 rental units affordable to extremely low- and low-income households through the Section 8 Moderate Rehabilitation program	No funding for FY 2004	$0		
H-1	Las Vegas Housing Authority Section 8 Rental Voucher program allows households to lease existing rental units within the private market at an affordable rate based upon 30% of the household's income	Provide 1,500 Section 8 Rental Vouchers	No funding for FY 2004	$0		
H-1	Las Vegas Housing Authority Scattered Site program provides existing single-family homes at an affordable rate based upon 30% of the household's income. The City is working with the Housing Authority to develop site selection criteria to ensure equitable distribution and property maintenance education for prospective clients	Provide 20 scattered-site, affordable single-family homes based upon site selection criteria that avoids over concentration and includes property maintenance education for prospective clients.	No funding for FY 2004	$0		

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H-1	Construction of new affordable rental housing units non-profit or for profit developers	Construct 500 new affordable rental-housing units.	Nevada HAND – Bonanza Pines III Senior Apts. / 62 units	$750,000	HOME/ LIHTF	90
			Las Vegas Future Veterans and Senior Housing	$1,155,097		110
H-1	Construction of new affordable Single Room Occupancy housing units to serve low wage earning, single person households near employment sectors such as the Downtown	Construct 200 Single Room Occupancy housing units within the Downtown Planning Area *[Downtown Neighborhood 2000 Plan]*	No funding for FY 2004	$0		
H-1	Construction of new Mixed Income/Use developments in the Downtown area, reserving a portion of the housing units at affordable rates serving households earning less than 50% of Area Median Income	Construct Mixed Income/Use developments containing 50 units affordable to households earning less than 50% of AMI *[Downtown Neighborhood 2000 Plan]*	No funding for FY 2004	$0		
H-1	Construction of new affordable rental housing units by Las Vegas Housing Authority through various federal grants	Construct 120 new affordable rental housing units	No funding for FY 2004	$0		
Use existing owner housing stock to reduce cost burden for extremely low- and low-income owner households						
H-2	Rehabilitate existing owner housing stock in sub-standard condition to retain affordable housing	Rehabilitate 100 existing owner housing	City of Las Vegas Single Family Major Rehabilitation / 15 houses	$200,000	CDBG	
				$400,000	HOME	98
			Rebuilding Together With Christmas in April / 100 houses	$100,000	CDBG	
			City of Las Vegas Mobile Home & Emergency Repair / 10 houses	$100,000	CDBG	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Use existing and new housing stock to provide homeownership opportunities for moderate income households						
H-3	Provide affordable homeownership opportunities to moderate-income households through assistance with down payment and closing costs on the purchase of existing and new homes	Provide down payment and/or closing cost assistance to 100 qualified moderate-income households	Las Vegas Homebuyers Assistance Program / 75 households	$400,000	HOME	97
				$295,791	ADDI	
Use existing and new housing stock to reduce overcrowding for extremely low- and low-income large related family renter households						
H-4	Programs under High Priority H-1 and H-2 include provision of rental units affordable to large related family households	Construct or rehabilitate 50 affordable rental units as noted in High Priority H-1 and H-2, specifically serving large related family households	No funding for FY 2004	$0		
Use existing and new housing stock to provide homeownership opportunities for extremely low- and low-income households						
M-1	Construction of new affordable owner housing units to serve all family types ranging from small to large related families	Construct 100 new affordable owner units	Ebenezer Hands Outreach Single Family New Construction / 3 units	$90,300	HOME	96
			CDPCN – Daisy Lee Family Development Lease-to-Own/ 58 units	$750,000	HOME	93
M-1	Provide affordable homeownership opportunities to extremely low- and low-income households through assistance with down payment and closing costs on the purchase of existing homes	Provide down payment and/or closing cost assistance to 50 qualified extremely low- and low-income households	No funding for FY 2004 (Historically the majority of down payment assistance funds have assisted persons earning between 51% and 80% of Area Median Income)	$0		

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Use existing and new housing stock to reduce cost burden for moderate income renter households						
M-1	Acquisition and rehabilitation of existing rental housing units by non-profit and for profit	Acquire and rehabilitate 75 existing rental housing units to serve moderate income renter households	No funding for FY 2004	$0		
M-1	Construction of new affordable rental housing units by non-profit and for profit developers	Construct 250 new affordable rental units	No funding for FY 2004 (All affordable rental developments will serve Extremely Low and Low income persons earning 60% or less of Area Median Income)	$0		
M-1	Construction of Mixed Income/Use developments in the Downtown area, reserving a portion of the housing units at affordable rates	Construct Mixed Income/Use developments containing 100 units affordable to households earning between 51% and 80% of AMI *[Downtown Neighborhood 2000 Plan]*	No funding for FY 2004 (All Mixed Income/Use developments will serve Extremely Low and Low income persons earning 60% or less of Area Median Income)	$0		
Use existing housing stock to reduce cost burden for moderate income owner households						
M-2	Rehabilitate existing owner housing stock in sub-standard condition to retain affordable housing.	Rehabilitate 15 existing owner housing units	City of Las Vegas Mobile Home & Emergency Repair / 5 houses	$50,000	CDBG	
Use existing and new housing stock to provide permanent affordable rental housing units to extremely low- and low-income persons with special needs						
H-4	Construction of permanent affordable housing to serve the frail/elderly	Construct 250 permanent affordable housing units	No projects for FY 2004			
H-4	Construction of permanent affordable housing to serve persons with severe developmental, physical and mental disabilities	Construct 100 permanent affordable housing units	No funding for FY 2004			

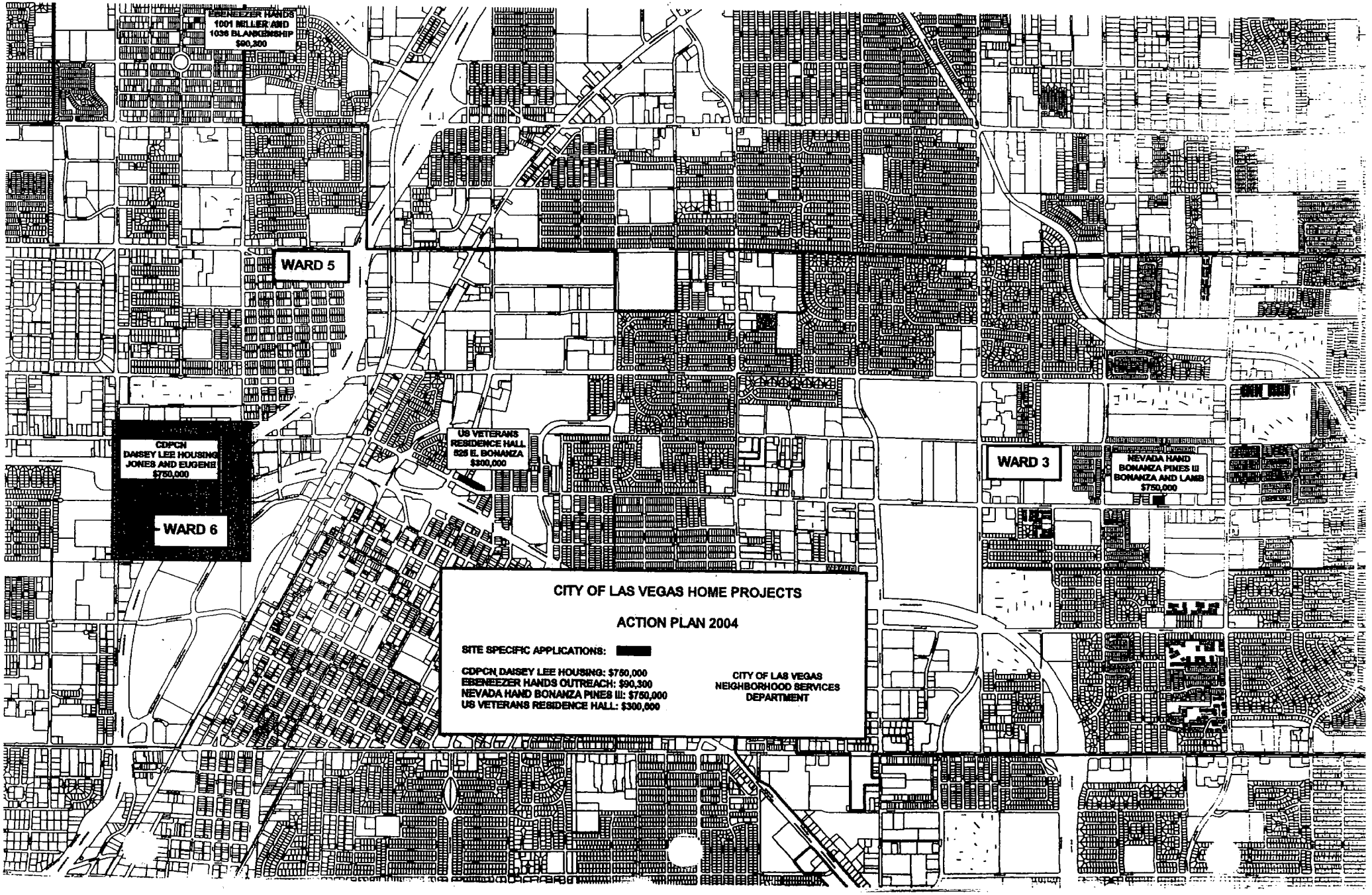
Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H-4	Retain affordability and accessibility through rehabilitation of existing housing units occupied by the frail/elderly	Rehabilitate 75 existing housing units occupied by frail/elderly households	Rebuilding Together With Christmas in April / 100 houses	$100,000	CDBG	
			James Seastrand Helping Hands minor repairs / 10 households	$7,000	CDBG	
H-4	New Construction or Acquisition and rehabilitation of existing housing units to serve persons with HIV/AIDS	Construct or Acquire and rehabilitate 40 existing housing units to serve persons with HIV/AIDS	Diversity Leadership Institute Re-entry Housing / 1 unit	$180,000	HOPWA	
Reduce governmental and non-governmental barriers to the production of affordable housing						
H	The City will make efforts to ensure that development review processes are efficient, fees reasonable and that the development industry is consulted regarding the formulation of City policies for development review processes and fees	The City will continue to evaluate the residential development review process to improve efficiency where possible	The City will work toward the development of in-fill housing incentives through expedited review process and regulations.			
		The City will continue to monitor the residential development review fee schedule in comparison to staff time to ensure equity.	The City will review the cost recovery system for the residential development review process. Policy recommendations contained in Housing Element.			
		The City will consult with the Southern Nevada Home Builders Association to assist in the formulation and/or amendment of policies to better support the production of affordable housing in the City	The Southern Nevada Home Builders Association was consulted and involved in working sessions regarding the development of the interim guidance for disposal of BLM lands for affordable housing purposes.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Develop new resources for affordable housing in the City of Las Vegas in cooperation with the County Consortium	Work cooperatively with the jurisdictions within the County Consortium to lobby the BLM and HUD to develop implementing regulations for the below market sale of BLM land for affordable housing development to non-profit developers without requiring the applicable jurisdiction to take ownership of the property	The City will continue to participate in BLM meetings to assist in developing a system to obtain land at below market rate for transfer to non-profit affordable housing providers. The Local jurisdictions working cooperatively with HUD and the local BLM have developed a draft interim rule with which to implement the provisions of Section 7(b) of the Interim Guide.			
M	Increase awareness of housing needs in the City of Las Vegas in cooperation with the County Consortium	Coordinate efforts with the County Consortium to increase awareness and understanding of affordable housing issues through various forms of media.	The City will continue to make presentations to political leaders and professional groups regarding affordable housing as well as sponsor site visits to successful revitalization projects.			
		Coordinate efforts with the County Consortium to conduct workshops on Fair Housing, ADA and Section 504 compliance	Will be funded from CDBG Administration funds			
		Coordinate efforts with the County Consortium to develop an efficient, and cost effective inventory of affordable housing within all the jurisdictions throughout the Consortium.	The City has contributed affordable housing site information to Clark County, which has taken the lead on developing the inventory.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Strategies to affirmatively further fair housing resulting from analysis of impediments to fair housing study						
H	Las Vegas Housing Authority Scattered Site program provides existing single-family homes at an affordable rate based upon 30% of the household's income. The City is working with the Housing Authority to develop site selection criteria to ensure equitable distribution and property maintenance education for prospective clients.	Support the provision of 20 scattered site housing units	Continue to work with the LVHA in developing and monitoring the site selection process and property maintenance education component.			
H	Construction of new Mixed Income/Use developments in the Downtown area, reserving a portion of the housing units at affordable rates serving households earning less than 50% of Area Median Income.	Construct Mixed Income/Use developments containing 10 units affordable to households earning less than 50% of Area Median Income *[Downtown Neighborhood 2000 Plan]*	No funding for FY 2004	$0		
H	The City will continue to support ordinance amendments and require Planned Community Developments to facilitate multiple family and mixed income housing development to increase affordable housing choice outside of high minority neighborhoods	Continue to support amendments to the Zoning Ordinance such as the March 1997 amendment which reduced multiple family residential development setback requirements, allowed for unlimited density for the R-5 district and eased review requirements	No actions in FY 2004	N/A		

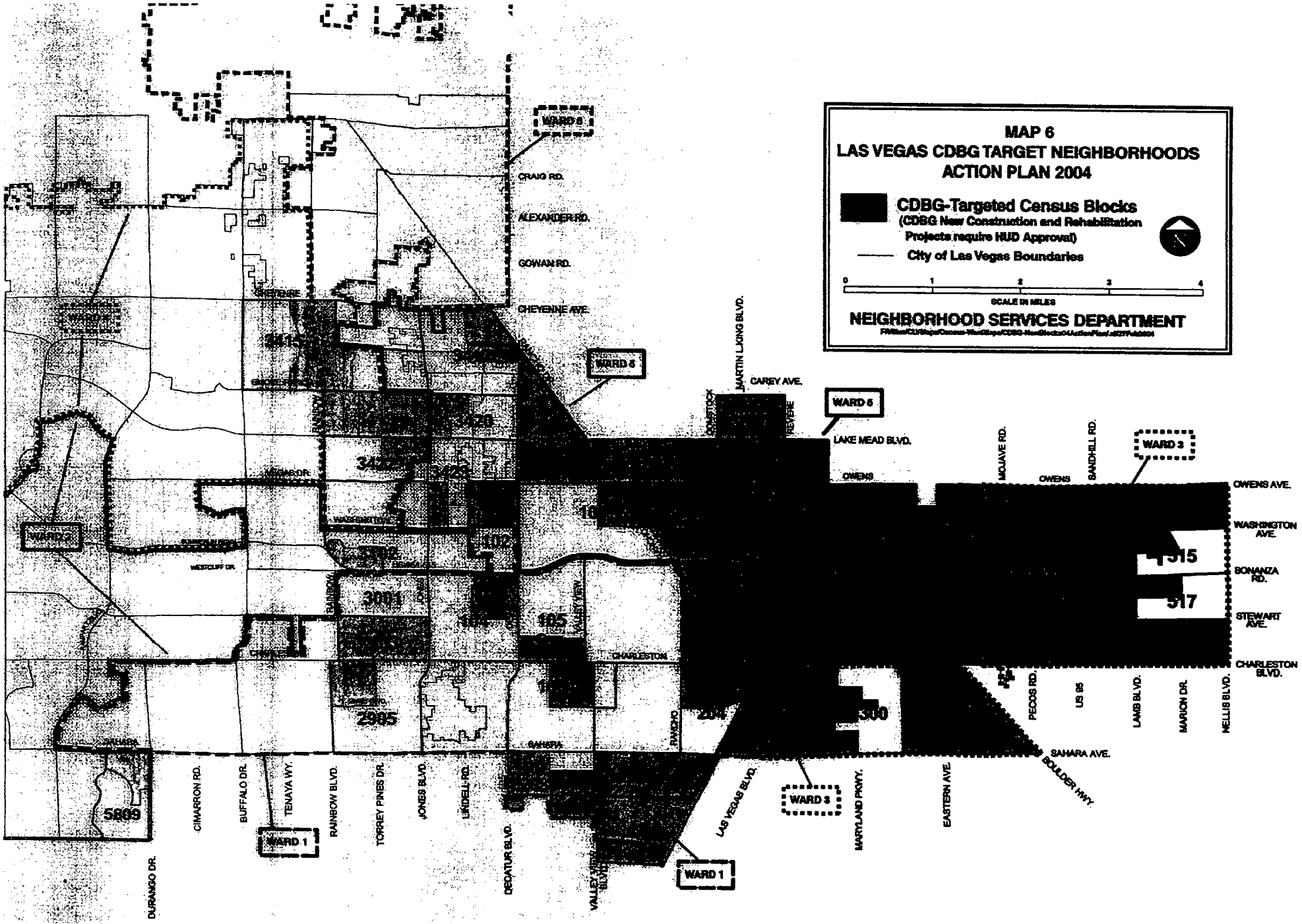
Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	The City will continue to update data within the General Plan in coordination with the Consolidated Plan with regard to the Needs, Supply and Gaps in the City's Affordable Housing as well as Barriers to production of affordable housing and Fair Housing issues	Continue to update the Elements of the City's general plan as the population continues to grow and evaluate the implementation of objectives toward the accomplishment of Neighborhood and Citywide Plans	Update to City Population Element to assist in determining housing needs as related to the Housing goals in Consolidated Plan. Housing and Population Elements completed during 2000-2001 and 2001-2002 respectively.			
H	Provide affordable homeownership opportunities to Moderate income households through assistance with down payment and closing costs on the purchase of existing and new homes.	Provide down payment and/or closing cost assistance to 100 qualified moderate-income households	See Homebuyers Assistance Program	See Affordable Housing Strategies	Federal HOME	Urban Co. Table
H	As noted within the Non-Housing Strategic Plan, the City will Encourage the Neighborhood Planning Process through development of new Neighborhood plans and the implementation of existing Neighborhood plans. These plans include direct Neighborhood input with respect to the Needs for Affordable Housing	Support the efforts of the Neighborhood Services Department in developing additional Neighborhood plans to achieve the greatest level of citizen participation in identifying community needs [including Affordable Housing issues] as well as implementing the goals of the Downtown Neighborhood 2000 Plan, West Las Vegas Neighborhood Plan and John S. Park Neighborhood Plan.	The Downtown, West Las Vegas, John S. Park and Beverly Green/Southridge Neighborhood plans have been completed.			
The City will participate with the Consortium jurisdictions to Reduce Lead-Based Paint Hazards						
M	Work on implementation of the four approaches to lead hazard evaluation reduction for all HUD-CPD	Implement the lead-based paint requirements by activity.	Coordinate with Consortium jurisdictions in developing program	N/A	Unfunded Mandate	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
		Attempt to acquire an XRF Analyzer for the purposes of identifying lead paint, its locations and the extent to which it affects housing rehabilitation activities	Goal achieved, County obtained XRF Analyzer and shares the equipment with other HUD Consortium jurisdictions	$0		
Administration						
	Provide the maximum value of services at a minimum administrative cost.		HOME Program Administration	$255,422	HOME	76
			ADDI Program Admin FY 03	$14,220	ADDI	


EBENEEZER HANDS
1001 MILLER AND
1036 BLANKENSHIP
$90,300
WARD 5
CDPCN
DAISEY LEE HOUSING
JONES AND EUGENE
$750,000
WARD 6
US VETERANS
RESIDENCE HALL
525 E. BONANZA
$300,000
WARD 3
NEVADA HAND
BONANZA PINES III
BONANZA AND LAMB
$750,000
CITY OF LAS VEGAS HOME PROJECTS
ACTION PLAN 2004
SITE SPECIFIC APPLICATIONS:
CDPCN DAISEY LEE HOUSING: $750,000
EBENEEZER HANDS OUTREACH: $90,300
NEVADA HAND BONANZA PINES III: $750,000
US VETERANS RESIDENCE HALL: $300,000
CITY OF LAS VEGAS
NEIGHBORHOOD SERVICES
DEPARTMENT

Geographic Location

Direct assistance will be made available to low and moderate income households throughout the City. The Neighborhood Services Department (NSD) will continue to focus on neighborhoods with concentrations of low income households in the delivery of its Housing Rehabilitation Program. This includes funding for the rehabilitation of single family homes, subject to income verification, inlow and moderate income areas. The neighborhoods in which CDBG and HOME funds are specifically focused are indicated on the following map.


MAP 6
LAS VEGAS CDBG TARGET NEIGHBORHOODS
ACTION PLAN 2004
CDBG-Targeted Census Blocks
(CDBG New Construction and Rehabilitation Projects require HUD Approval)
City of Las Vegas Boundaries
0 1 2 3 4
SCALE IN MILES
NEIGHBORHOOD SERVICES DEPARTMENT
WARD 6
CRAIG RD.
ALEXANDER RD.
GOWAN RD.
CHEYENNE AVE.
WARD 5
MARTIN LUKING BLVD.
CAREY AVE.
COMSTOCK
REVERE
WARD 6
LAKE MEAD BLVD.
MOJAVE RD.
OWENS
SANDHILL RD.
WARD 3
OWENS AVE.
WASHINGTON AVE.
BONANZA RD.
STEWART AVE.
CHARLESTON BLVD.
WARD 2
RAINBOW
WESTCLIFF DR.
VALLEY VIEW
CHARLESTON
PECOS RD.
US 95
LAMB BLVD.
MARION DR.
NELLIS BLVD.
SAHARA AVE.
BOULDER HWY.
EASTERN AVE.
MARYLAND PKWY.
LAS VEGAS BLVD.
WARD 3
WARD 1
DURANGO DR.
CIMARRON RD.
BUFFALO DR.
TENAYA WY.
RAINBOW BLVD.
TORREY PINES DR.
JONES BLVD.
LINDELL RD.
DECATUR BLVD.
VALLEY VIEW BLVD.
WARD 1
5809
2985
3001
3422
3423
3420
3411
102
105
104
204
300
315
317

Other Actions to Address Obstacles to Meeting Underserved Needs

Actions to Foster and Maintain Affordable Housing

As noted within the five year strategic plan, extremely low- and low-income households of all types are underserved with respect to affordable housing. In order to overcome this gap, the City has included strategies to provide additional affordable rental and owner housing opportunities. These strategies include the acquisition, rehabilitation and new construction of rental housing units using federal funds to leverage state and private funding sources. Furthermore, strategies to address the need for affordable owner housing include single family rehabilitation and first-time homeownership assistance.

The City has allocated funds to the City of Las Vegas and Christmas in April single family rehabilitation programs. The City program allows rehabilitation and emergency repairs to be completed on single-family owner occupied units including mobile homes. Residential rehabilitation addresses deferred maintenance affecting the health and safety of the occupants. Repairs to roofing, electrical wiring, plumbing, heating and air conditioning and handicap accessibility allows lower income households to continue to maintain otherwise affordable housing. The Christmas in April program operates similar to the City program through provision of grants for rehabilitation costs not exceeding $5,000.

In addition, the City has allocated federal funds to provide for the acquisition and rehabilitation of rental housing units as well as the new construction of rental and owner units to serve the needs of extremely low- and low-income individuals, families and seniors. These projects will use federal grant funds in combination with state and private funds to accomplish the development of affordable housing units.

Actions to Remove Barriers to Affordable Housing

Permit Fees and Review Process

The City of Las Vegas has a full cost recovery policy for processing development applications. Typical permit fees to process a single-family residence are approximately $8,000 in Las Vegas. These processing fees are added to the cost of housing and then passed on to the purchaser. Furthermore, the review process itself can increase costs by virtue of the amount of time and money it takes for a developer to receive approval. This results from staff review of a development proposal in addition to any required public hearings. The Housing Element recommends that the City implement citywide special fast-track approval methods for selected Downtown housing development team projects.

The City will make efforts to ensure that development review processes are efficient, fees reasonable and that the development industry is consulted regarding the formulation of City policies for development review processes and fees. The City will continue to monitor the fee schedule in comparison to staff processing time to ensure equity and consult with the Southern Nevada Home Builders Association regarding policies to assist in the development of affordable housing

Development Standards

Residential development standards may create barriers to affordable housing; specifically, regulations concerning bulk requirements such as setback, lot sizes and minimum square footages.

The City has already completed numerous ordinance amendments to create incentives for the production of affordable housing including mixed use development zones, elimination of building height requirements in the R-5 zone district, adoption of the Town Center Plan allowing for high density mixed use developments and adoption of the Casitas ordinance permitting guest houses. However, the City will continue to investigate and implement, where appropriate, additional ordinance amendments to further reduce potential barriers to the production of affordable housing. The Housing Element continues to seek zoning ordinance and subdivision ordinance amendments to allow for accessory apartments and reduced setbacks where such measures will increase the viability and attractiveness of infill development.

Limited Land Availability

The urban areas of the HCP Consortium Area are surrounded by land currently under the supervision of the Bureau of Land Management (BLM). The BLM oversees these lands under the Recreation and Public Purpose Act, which through the Southern Nevada Public Lands Act of 1998 now includes affordable housing as a "public purpose." Therefore, these lands should be available to developers of affordable housing. However, there is currently no mechanism to make the land available below fair market value for development as affordable housing. A reduction in land price would be necessary to make it economically viable for affordable housing.

The City will continue to lobby the BLM and HUD in cooperation with jurisdictions in the Consortium to develop implementing regulations for the below market sale of BLM land for affordable housing development. The regulations must allow for the purchase of such lands by non-profit developers without requiring the applicable jurisdiction to take ownership of the property. Infill housing projects would be pursued as a priority over BLM lands positioned on the periphery. Representatives from the local HUD office are currently working with the BLM to develop regulations that will allow the use of BLM lands for affordable housing purposes while addressing the needs of local jurisdictions.

Community Support

There has traditionally been minimal support for affordable housing development in Southern Nevada. There have been problems with the "Not In My Backyard" syndrome or "NIMBYism" among residents of established neighborhoods who fear affordable housing.

The City will work cooperatively with the County Consortium to increase awareness and understanding of affordable housing issues through various forms of media and community workshops. Housing advocacy groups and non-profit organizations will be included in the efforts to raise public awareness regarding the shortage of affordable housing and to reduce fear.

Actions to Foster Public Housing Improvements

The Housing Authority of the City of Las Vegas (HALV) has a five-year plan for modernization of Public Housing units. This year's plan will concentrate on comprehensive modernization of Archie Grant Park, a Senior Community located on Bruce and Searles. The comprehensive modernization plan is to upgrade all 125 units and community areas to include: exterior improvements, groundwork, community buildings upgrades, retrofit of units to comply with 504 requirements, and complete interior improvements. This comprehensive modernization will address all water and energy conservation issues. Additionally, upgrades of the parking areas at Harry Levy Gardens and Aida Brents will be addressed. Redevelopment initiatives will be considered for the Public Housing sites to include the opportunity for a HOPE VI application.

The Scattered Site Homeownership Program will continue to be implemented to provide homeownership opportunities for the LVHA residents. Additionally, the LVHA will pursue new initiatives to acquire homes for resale to perpetuate homeownership opportunities. We are also seeking to partner with private developers to increase low and moderate income housing units in excess of 400 units within the next 3 years.

Actions to Foster Housing Improvements

The Housing Authority has expanded the Section 8 Housing Choice Voucher Program to be the largest in the State of Nevada with 4,161 vouchers.

The Section 8 Program has also been expanded utilizing Project-Based Assistance at Juan Garcia Gardens. This 52-unit complex is providing additional affordable housing for families at or below 50% of median income.

Additionally, HALV has implemented its Section 8 Homeownership Program option and currently has five (5) participants under contract. This program allows the Section 8 Voucher subsidy to be utilized for mortgage payments versus rental assistance. Participants must be graduates of the Section 8 Family Self Sufficiency (FSS) program.

Section 8 Family Self-Sufficiency Efforts

HALV continues to develop programs and partnerships to foster self-sufficiency opportunities for our participants. These activities include enrollment of 100 percent of our 221 mandatory FSS placements. We have had 17 graduates of which 12 became homeowners. A voluntary Family Self-Sufficiency program has been recently implemented with participation from 300 individuals at present.

Other efforts include receiving non-HUD grant funding to provide services. HALV pursued and obtained a grant for a program entitled Sports Builds Positive Youth. The grant is for $15,000 and provides funds for at risk youth moving into areas of low poverty to participate in sports programs, art classes, dance classes and other pro-active activities to improve self-esteem. One of our most successful partnerships has been with the Foundation for an Independent Tomorrow. This agency provides funds for participants who want to return to school for vocational training. Tuition, childcare and transportation costs are paid via a grant for eligible participants. The agency has funded in excess of $40,000 to date. Once again, HALV received funding from the Federal Home Loan Bank of San Francisco through its Individual Development Empowerment Account Grant (IDEA) for down payment assistance for participants seeking homeownership. Finally, HALV also received a HUD grant in the amount of $120,000 to assist in paying salaries for FSS Coordinators.

Actions to Affirmatively Further Fair Housing

The City of Las Vegas contracted with a consultant to complete a new Analysis of Impediments to fair housing choice document. This document was completed and offered a thorough review of the city's past and current efforts to provide for fair housing choice as well as an action plan for future efforts. The A.I. study covered the community, housing and land use profile for the city as well as compliance data and a history of fair housing legal cases. The study included extensive public outreach that exceeded regulatory requirements. This outreach included distribution of surveys in both English and Spanish to

approximately 1,700 housing and community development organizations, realtors, lenders and property managers. Four public forums were conducted as well as a fifth forum targeting apartment owners and managers with a Spanish translator present. Thirty in-person and telephone interviews were conducted with housing and community development professionals in the Las Vegas area. The fair housing impediments action plan reflects the results of this research and public outreach. The Action Plan recommends several specific actions within five main areas relating to the improvement of fair housing choice for the city's residents. In general, the actions include increased efforts toward fair housing education for citizens, landlords, property managers and realtors; reduce impediments affecting persons with disabilities; improved coordination with the local housing authority; and increase the city's role in support of fair housing choice.

Conclusions

The Study indicated that in general, citizens do not feel that housing discrimination is a major problem in the City of Las Vegas. The distribution of multi-family and single family housing is relatively even with some disparity in the amount of concentrated affordable housing stock. The feedback from residents and professionals also indicates that the City has been doing a good job of mitigating fair housing barriers and providing city services in an equitable manner. While the city is providing positive actions toward furthering fair housing for its citizens; the study does make some recommendations for improvements and additional actions as follows:

- Increase citizens' understanding of fair housing laws through outreach including use of the city's television station, public service announcements on television and radio; distribution of fair housing informational brochures at neighborhood meetings and use of the city's website.
- Improve landlords, property managers, and realtors knowledge of fair housing laws through distribution of fair housing informational brochures to landlords, property managers and the Greater Las Vegas Association of Realtors.
- Reduce fair housing impediments for persons with disabilities through continued capital improvements to add curb cuts and improve crosswalk signage as well as continued housing rehabilitation enhancing accessibility for persons with disabilities.
- Work with the Las Vegas Housing Authority to coordinate efforts toward the furthering of fair housing in the city through continued efforts to deconcentrate public housing and affordable housing and increase the number of affordable units accessible to persons with disabilities.
- Increase the city's role in fair housing by contracting with one or more agencies to provide fair housing education and investigation of fair housing complaints.

Actions to Reduce Lead Based Paint Hazards

There are an estimated 36,475 occupied housing units potentially containing lead-based paint within the City of Las Vegas of which 54% are owner and 46% are renter occupied. Low-and extremely low-income households occupy approximately 21% (4,037 units) of the owner units, and 64% (10,835 units) of the renter units.

The City continues to participate with the Consortium jurisdictions in a joint effort to implement the Lead Based Paint Rule including workshops, training, application for lead based paint hazard control grant and certification of inspectors. Lead based paint testing instruction has even been provided at actual rehabilitation sites located within the City of Las Vegas where lead based paint was detected. As a result of the mandated lead based paint testing, the City has set aside funds to cover the costs of such testing. It is important to note that costs of up to $1,000 can be incurred simply during the process of determining

the existence and extent of lead based paint within a house. Furthermore, it is possible that the projected cost to address the lead based paint remediation will displace other very important repairs as costs reach the maximum rehabilitation limit of $40,000 per household. In other words, the applicant may have to forgo replacement of a heating unit or roof both of which are important to maintaining the structure's integrity and habitability. The cost to remediate lead based paint is estimated by HUD to increase the cost of housing rehabilitation by as much as 50%. Therefore, the number of completed rehabilitation units may decrease since the majority of housing units assisted through the City's program are pre-1978 and subject to lead based paint testing. Finally, when a household includes children 6 years of age or younger, there is a potential for relocation of the family when testing indicates high levels of lead content in the home.

Homeless Annual Plan

As noted within the Homeless five year strategic plan, the priorities are as follows:

1. Reduce barriers to providing shelter and services to homeless
2. Increase the supply of housing affordable to extremely low-income and formerly homeless
3. Increase supportive and essential services for homeless
4. Work to coordinate the service delivery system to avoid duplication, improve services, and maximize funding
5. Provide services for homeless youth

Figure 18
City of Las Vegas Homeless Activities
Action Plan 2004

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Reduce barriers to providing shelter and services to homeless						
H	Remove legal barriers to serving homeless youth	Change NRS Statutes that hinder assistance to homeless youth	The Nevada 71st Legislative session passed AB 264 "The Right to Shelter Law" which allows homeless shelters and service providers to assist homeless runaway/throwaway youth. This law took effect October 1, 2001; the County is working to establish an Ordinance and responsibility for oversight of services. The NV Partnership for Homeless Youth opened a Drop-In Center on Oct. 1, 2001 and is serving teens daily from 4 pm to 8 pm. See end of table for funding info.			
H	Eliminate governmental/institutional impediments to serving homeless	Research providing discounts and waivers to non-profits for costs of bus tokens, sheriff's cards, phone cards and other governmental/institutional requirements	In June 2001, the Clark County Commission repealed laws that required tens of thousands of casino employees to obtain police-issued work cards costing $35 or more. This repeal means that maids, cooks, waitresses and other employees at casinos, stores and bars on the Strip and elsewhere in unincorporated Clark County no longer will need to undergo background checks or be finger-printed starting July 11, 2001. The City Council of Las Vegas approved similar measures at their September 5, 2001 City Council meeting. The City Council of North Las Vegas approved similar measure in 2002. Sprint provided hundreds of free phone cards (15 minutes) over the holidays to local shelter providers.			
		Periodically review regulations, ordinances, and statutes that appear to discriminate against the homeless	NV Legislature increased greatly Group Home license fees which negatively impacts SNAMHS's ability to provide housing for SMI homeless.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
M	Support efforts to educate public and governmental representatives about homelessness	Support "consequential" studies to demonstrate social savings for support & funding of homeless services	The WestCare Crisis Triage Center will be conducting a cost-savings analysis to demonstrate that it is cheaper to assist chronic public inebriates through detox services and treatment referral instead of emergency room services			
		Provide opportunities for public officials to learn about homeless issues.	There has been tremendous press coverage of homeless issues because of the SNRPC Homelessness Task Force and Mayor Goodman's high profile on homeless issues.			
Increase the supply of housing affordable to extremely low-income and formerly homeless						
H	Provide additional emergency and transitional housing services for HIV/AIDS population	Support funding to assist in the development of 40 beds/units for people with HIV/AIDS	See HOME section on HIV/AIDS for HOPWA projects			
H	Promote the new construction, rehabilitation, set-asides or rental vouchers for permanent housing for people at 30% or below area median income, especially seniors and disabled	Work with community leaders to encourage the use of HOME and CDBG for developments that focus on the extremely low-income households	The SNRPC Homelessness Task Force Action Plan includes a goal of having all jurisdictions target a percentage of their affordable housing production to 50% & below households. Clark County Housing Authority and State Mental Health are collaborating and asking for HOME funds to provide TBRA for the severely mentally ill homeless contacted through expanded Program of Assertive Community Treatment (PACT) Teams.			
		Facilitate coordination between affordable housing and social service providers	No projects for FY 2004			
		Support the acquisition or construction of 100 units of very low-income housing	Southern Nevada Adult Mental Health Services – Permanent Housing Shelter Plus Care / 23 homeless mentally ill	$849,420	S+C (2002)	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
			Southern Nevada Adult Mental Health Services – Permanent Housing Shelter Plus Care / 16 homeless mentally ill	$610,200	S+C (2001)	
			Women's Development Center Permanent Housing Move-In Assistance	$357,856	SHP (2000)	
			Clark County Social Services/Aid for AIDS of NV. Permanent Housing Vouchers / 20 people	$728,160	S+C (1999)	
		Advocate with the local Housing Authorities to prioritize public housing units and Section 8 certificates/vouchers for qualifying families or individuals exiting transitional programs	The Clark County Housing Authority received $1,500,000 in HOME to provide Tenant Based Rental Assistance to families leaving transitional housing programs and for severely mentally ill homeless.			
		Support efforts to create 230 units of supportive housing for veterans	US Vets – Permanent Housing - 5 units	$399,925	SHP (2001)	
			US Vets- Veterans In Progress - 144 units, 400 veterans	$119,001	SHP (2003)	
			HELP Las Vegas Housing – 75 transitional housing units for vets	$185,934	SHP (2003)	
		Support federal legislation to reserve vouchers specifically for homeless	The Advocacy Committee of the SNHC has not undertaken any activities to date on this issue.			
H	Continue to support homeless prevention activities	Continue funding for rental assistance, utility assistance and other homeless prevention activities	EOB Project Home / 25 people	$15,000	ESG	
			HELP of Southern Nevada Rent & Utility assistance / 180 people (ESG) and 18 (CDBG)	$15,000	ESG	
				$8,475	CDBG	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
			The 71st NV Legislature created the NV Fund for Energy Assistance and Conservation. Funded by a Universal Energy Charge (UEC) on customer's bills. 75% of the funds will be allocated to State Welfare to be distributed to customers for assistance with energy bills (an estimated $7 million). The remaining 25% will be allocated to the State Housing Division for a Weatherization Program.			
H	Continue to support maintenance and development of transitional housing especially for those with physical disabilities and mental health problems	Continue funding to assist in the maintenance of existing transitional housing	Women's Development Center / 165 (ESG) people and 85 (CDBG)	$17,500	ESG	
				$14,000	CDBG	
			EOB Treatment Center rehab	$6,210	ESG	
			EOB Project HOME / 10 homeless families	$104,556	SHP (2003)	
			Catholic Charities St. Vincent-HELP SRO Apartments / 120 units	$120,140	SHP (2003)	
			Women's Development Center Transitional Housing / 8 units	$378,013	SHP (2001)	
			The Salvation Army Pathways Program / 42 severely mentally ill homeless	$486,320	SHP (2001)	
		Support funding to develop 200 new transitional housing units (transitional housing also addressed in Housing Section)	The Shade Tree Shelter for Women and Children – 3 years supportive services / 82 families and 25 single women	$302,915	SHP (2003)	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
M	Work to develop emergency housing for men with children	Support funding for the development of 30 spaces of emergency housing for men with children	Interfaith Hospitality Network provided emergency shelter for single fathers with children in this past year. WDC can provide assistance if units are available. Las Vegas Rescue Mission has constructed an additional building, which has expanded residential services and provides 3 units for fathers with children. Safe House and Safe Nest also provide for domestic violence victims who are men with children on an as needed basis.			
Increase supportive and essential services for homeless						
H	Establish a comprehensive health care system for the homeless including a Respite Care service for homeless discharged from hospitals	Support funding for the development of a Respite Care Service for ill homeless people	SNHC members are active in the Clark County Health Access Consortium, which is trying to address many of the health issues facing the County. It has been determined that respite care is needed by an average of 10 clients per month.			
		Maximize usage of existing health services through dissemination of information	Nevada Health Centers has a clinic at St. Vincent's Plaza from where it refers clients to its other clinics as needed. A new clinic was opened in FY 2003 at the Las Vegas Rescue Mission. In addition, the Public Health Nurse from the Clark County Health District serves homeless people.			
M	Continue to support the development of emergency shelter beds that meet minimum standards	Support funding to assist in the operations and maintenance of existing emergency shelter programs and development of 500 new shelter beds	Interfaith Hospitality Network / 150 people	$25,000	ESG	
			Salvation Army / 4,290 people	$25,000	ESG	
			Safe Nest/TADC Supportive Services for Domestic Violence Survivors	$341,553	SHP (2000)	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Work to improve criminal justice system response to homeless	Work with Metro Police to prevent inappropriate placement of mentally ill in jail	A Sheriff's Committee on Mental Health is working on the problem of discharging mentally ill inmates from the jail. Clark County is working on creating a Mental Health Court which would tend to the special needs of mentally ill defendants with emphasis on treatment and recovery. Clark County Detention Center, Salvation Army and SNAMHS are providing aftercare for inmates being released who have mental health issues and are homeless.			
		Support continuation and expansion of the Metro HELP Team within Clark County and to other jurisdictions	In April 2002, Metro increased its HELP Team to 4 officers. Although Metro subsequently reduced the Team back to 2 officers, they are implementing a systems change whereby all officers will be better trained to handle social issues.			
		Encourage Metro to provide training to all officers on how to deal with homeless	Training being offered to Metro officers. Monthly meeting with Metro, CPS, Non-Profits, etc to discuss homeless issues. Metro will not arrest people if no shelter is available and they are not a threat.			
H	Provide for basic needs, such as food, toiletries and transportation	Provide food and personal item vouchers, access to clothing, and public transit vouchers to homeless people to access services, school, employment training and new employment opportunities	HELP of Southern Nevada Emergency Resource Services / 20 people (ESG) and 1,943 (CDBG)	$5,000	ESG	
				$8,500	CDBG	
			Lutheran Social Services / 4,286 people	$20,000	ESG	
			WestCare Adult Re-Entry Assistance / 71 people	$19,208	ESG	
H	Ensure that homeless families have access to services that lead to self-sufficiency	Make the provision of childcare assistance to homeless families with children a priority	Shelter and transitional housing providers need to contact EOB Childcare Division as they issue childcare vouchers.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	prove outreach to non-downtown meless	Outreach to homeless in parks and weekly's	Metro HELP team, Key Foundation, and Salvation Army PATH do outreach to various areas. Unaffiliated volunteers also doing outreach throughout the County. SNAMHS, Street Teens, Health Care for the Homeless, WestCare, Safe Nest all do outreach, some in conjunction with Metro. State of Nevada Legislature increased funding for the PACT (Program for Assertive Community Treatment) Teams to increase outreach. Straight from the Streets, a grassroots non-profit began outreach to the unsheltered in May 2001 and currently reaches out to the street population 5-6 days per week.			
		Increase the number of drop-in centers and outreach teams, and ensure they are geographically disbursed throughout the region	The State Senate Committee on Mental Health is considering the benefits of Safe Havens being developed as part of the State Plan for Mental Health. A Safe Haven is a no-strings drop-in center for homeless with mental illness.			
			The NV Partnership for Homeless Youth has established a drop in center for youth (see Section on Homeless Youth). Nevada Health operates Health Care for Homeless which outreaches to the entire valley. Salvation Army has drop-in center in Henderson and at Owens campus. The Shade Tree has the Day Room.			
		Develop card with direct phone #'s for outreach workers to use for homeless	Metro's HELP Team carries these cards and provides them to homeless people needing services.			
H	Provide street-based education and outreach, including	Continue Stand Down as way to reach out to homeless	Stand Down is planned for fall 2004.			

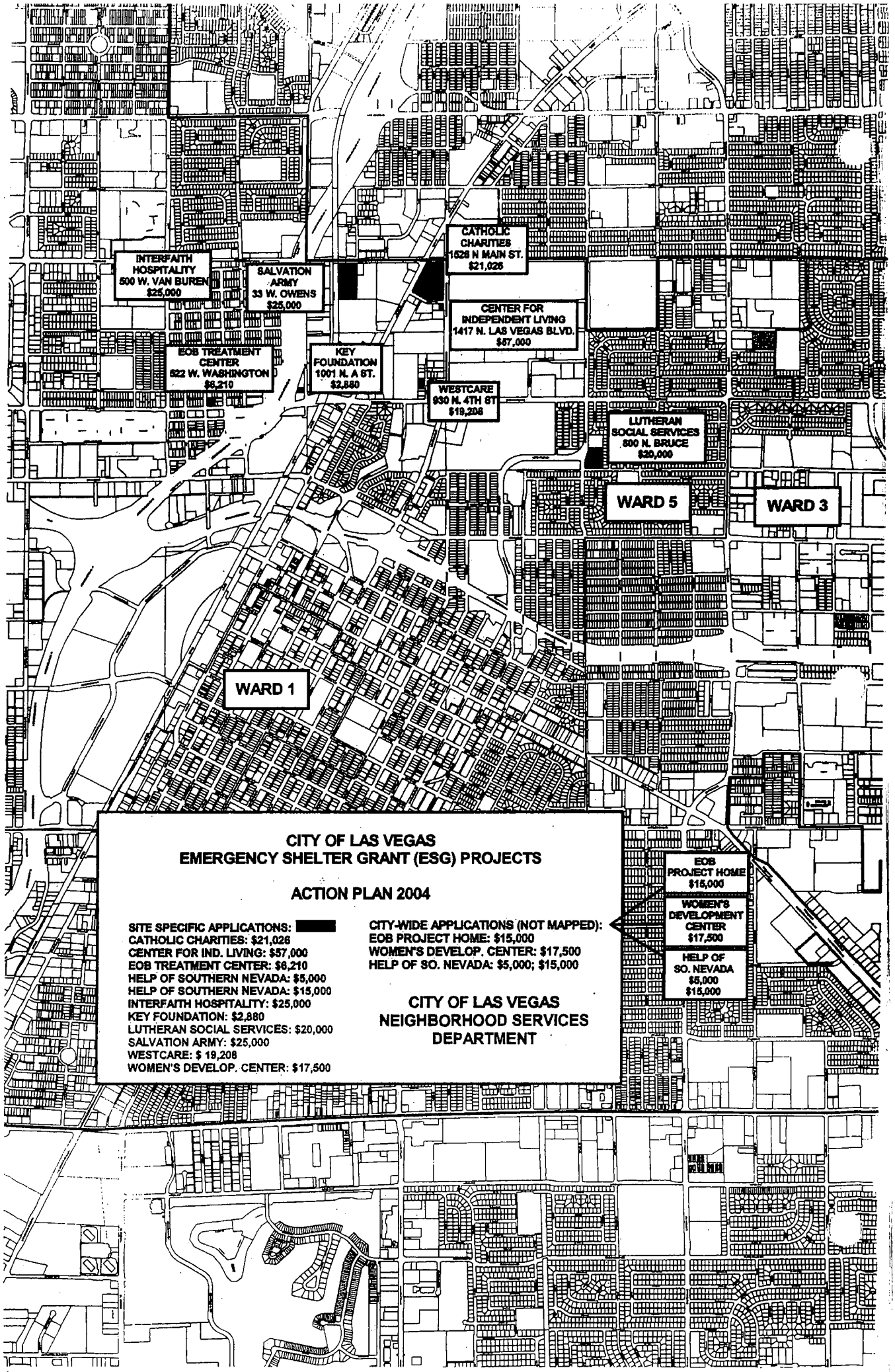
Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
	drug/alcohol treatment, counseling, and provision of I & R, especially for non-service using males	Support activities to outreach homeless veterans in dispersed locations	Metro HELP team, Key Foundation, and Salvation Army PATH do outreach to various areas. Unaffiliated volunteers also doing outreach throughout the County. SNAMHS, Street Teens, Health Care for the Homeless, WestCare, Safe Nest all do outreach, some in conjunction with Metro. State of Nevada Legislature increased funding for the PACT (Program for Assertive Community Treatment) Teams to increase outreach. Straight from the Streets, a grassroots non-profit began outreach to the unsheltered in May 2001 and currently reaches out to the street population 5-6 days per week.			
H	Ensure the provision of case management and examine ways to improve/enhance case management services for homeless clients	Provide training opportunities free of charge or lower fee to homeless programs providing case management	City of Las Vegas, North Las Vegas and Clark County are offering a series of training on Connecting Homeless Individuals with Mainstream Programs. The first is scheduled for February 25, 2004.			
		Continue to fund case management services	Lutheran Social Services has privately funded case management. WDC and Shade Tree provide case management using ESG and CDBG. All CoC funding recipients provide case management as part of their grant agreements.			
H	Work cooperatively with the Division of Mental Health and Developmental Services to facilitate the placement of homeless mentally ill into permanent, housing with supportive services	Place 250 mentally ill homeless clients in permanent housing by working with MHDSD	Southern Nevada Adult Mental Health received $610,200 in FY 2001 Continuum of Care funding for 16 units of permanent housing for the severely mentally ill. The grant will be used over 5 years. SNAMHS received $849,420 for 23 more units in FY 2002 CoC funds. Nevada Mental Health received a renewal of $610,740 for 80 units of Shelter + Care in FY 2002 CoC funding. Salvation Army received renewals of $972,640 for the Pathways Program and $682,399 for the Safe Haven.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Continue to empower the homeless population to become more involved in the planning process	Continue to solicit and include homeless and formerly homeless persons in CoC, Consolidated Plan planning processes	The Continuum of Care Allocation Committee included formerly homeless people. Salvation Army has Homeless Resident Councils.			
H	Increase legal and health services for homeless, including mental health as well as addiction treatment for alcohol, drugs, and gambling addictions	Expand WestCare Detox and develop a Modified Medical Detox facility	WestCare Community Triage Center is in operation and has 60 crisis beds for drug or alcohol detox.			
		Increase by 100 the number of beds for assessment and treatment of those homeless with alcohol/drug/gambling problem	State MHDSD is providing outreach mental health assessment at Salvation Army, Catholic Charities, and The Shade Tree on certain days. US Vets' has 140 treatment beds, utilizing a Department of Veterans Affairs Per Diem contract Salvation Army Adult Rehab Program in NLV has developed a gambling program. Will start as Outpatient and develop into Inpatient. BADA is a member of the State Policy Team for planning on Statewide homeless issues. BADA and SNAMHS have requested technical assistance to develop pilot project to help homeless that are dually diagnosed.			
		Support legal services for homeless individuals and families	No actions for FY 2004.			
		Create collaboration with the Dental and Law schools at UNLV for internships and volunteer opportunities	No actions for FY 2004.			
		Initiate state legislation for a 3¢ tax on alcohol for substance abuse treatment	No actions for FY 2004.			
M	Enhance education and employment services available to the homeless, creating unique approaches to the special needs	Support Catholic Charities in development of new employment center and support employment programs for homeless	Catholic Charities Transportation for Employment / 1,404 people	$21,026	ESG	
			Key Foundation Jobs for Veterans / 49	$2,880	ESG	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
	approaches to the special needs of this population	programs for homeless	people	$12,500	CDBG	
			Lutheran Social Services Case Management for Job Assistance / 267 people	$10,000	CDBG	
			Salvation Army Vocational Training Services / 163 people	$5,000	CDBG	
		Work with local employers to develop agreements for hiring formerly homeless individuals	Catholic Charities continues to expand agreements; currently has 1,200 businesses working with employment program. So. NV. DETR provides casual labor office on A Street. They work with Key Foundation to place people. All Job Connect offices work with homeless.			
Work to coordinate the service delivery system to avoid unneeded duplication, improve services, and promote collaborations to maximize funding						
M	Coordinate long range planning efforts throughout the Valley regarding policy, funding, and location of homeless services	Work with the Southern Nevada Regional Planning Coalition in formulating their long-range plan regarding policy, funding, and locations of homeless shelter and services	Clark County has taken the lead for the SNRPC Homeless Plans. Clark County is hiring a Regional Homeless Coordinator who will coordinate efforts between jurisdictions and develop a plan to end homelessness in the next 10 years.			
			Members of SNHC and local government are on the Statewide Homeless Policy Team which meets monthly with the goal of better integrating mainstream services and homeless specific services.			
		Continue meetings of SNHC to coordinate services and continue to work on long term policy issues and provide a united front to planning boards	SNHC will continue to meet monthly in FY 2004			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
M	Increase efforts to work with the faith-based community	Encourage SNHC Public Awareness Committee to meet monthly with faith-based groups to present information and learn about that group's efforts in the community	No new actions for FY 2004.			
H	Work with the Clark County School District to increase the number of Homeless Outreach Workers assigned to serve the homeless student population	Support efforts of outreach workers by providing information on services, phone # cards, and referrals	A card has been developed by the Outreach Workers Committee and will work on disseminating the cards in FY 2004.			
H	Create a shared database to ensure homeless clients are being served and to reduce duplication of services	Complete research and apply for funding to create a Southern Nevada management information system on homeless	Any agency that wishes to receive future funding through the Continuum of Care grant programs must be part of an integrated MIS system. Plans are under consideration to meet the need for a Homeless Management Information System. Clark County is providing $109,025 in CDBG funds.			
M	Improve the capacity of local organizations at all levels	Work with SNHC to advocate for training and development for non-profits (professional training, board training, etc.)	No actions for FY 2004.			
H	Advocate with the prison system/jails to adequately fund and support Street Readiness Teams	Identify resources currently available for those leaving prisons and jails	Catholic Charities sends outreach people to prisons for work program recruitment. 4-5 men per month enroll after release. HELP of S. NV goes to women's prisons for job training. Prison Integration Experiment (PIE) is new United Way agency that has 3 units to help 6 parolees. This program assists veterans and others. The City of Las Vegas received federal funding to provide housing and supportive services to ex-offenders, some of whom are veterans, upon release from prison to ensure they do not become homeless.			
		Educate legislature on need for more funding for street readiness programs	Legislature does not meet until 2005.			

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
		Support continuation of VA/HELP Team "Street Readiness" program	VA, Catholic Charities, Salvation Army, etc. continue to work with Street Readiness program.			
M	Increase and improve upon Consortiums as a service-delivery model	Encourage collaborations between organizations, with one acting as fiscal agent, to apply for an item, then creating MOU's to provide item to other agencies	HELP of Southern Nevada currently acts as fiscal agent for 19 Family Resource Centers.			
		Create or support existing programs that duplicate success of consortiums model	US Vets and NV State Department of Employment, Training and Rehabilitation (DETR) have collaborated to provide a state-run One-Stop Employment Center in the Meadows Inn Veterans Housing.			
Provide services for homeless youth						
H	Increase the independent life skills of homeless and runaway youth (i.e. job skills, addictions recovery, budgeting, education, etc.)	Support organizations who provide life skills training and basic services to homeless youth	No funding for FY 2004	$0		
		Support the creation of emergency shelter for homeless youth	Center for Independent Living Transitional Housing / 40 homeless youth	$57,000	ESG	
		Support provision of alcohol/drug/gambling treatment for youth	Center for Independent Living and WestCare have BADA funded programs. WestCare recently opened the Women and Family Campus to expand youth and women treatment programs.			


CATHOLIC CHARITIES
1528 N MAIN ST.
$21,026
INTERFAITH HOSPITALITY
500 W. VAN BUREN
$25,000
SALVATION ARMY
33 W. OWENS
$25,000
CENTER FOR INDEPENDENT LIVING
1417 N. LAS VEGAS BLVD.
$57,000
EOB TREATMENT CENTER
922 W. WASHINGTON
$6,210
KEY FOUNDATION
1001 N. A ST.
$2,880
WESTCARE
930 N. 4TH ST
$19,208
LUTHERAN SOCIAL SERVICES
800 N. BRUCE
$20,000
WARD 5
WARD 3
WARD 1
EOB PROJECT HOME
$15,000
WOMEN'S DEVELOPMENT CENTER
$17,500
HELP OF SO. NEVADA
$5,000
$15,000
CITY OF LAS VEGAS
EMERGENCY SHELTER GRANT (ESG) PROJECTS
ACTION PLAN 2004
SITE SPECIFIC APPLICATIONS:
CATHOLIC CHARITIES: $21,026
CENTER FOR IND. LIVING: $57,000
EOB TREATMENT CENTER: $6,210
HELP OF SOUTHERN NEVADA: $5,000
HELP OF SOUTHERN NEVADA: $15,000
INTERFAITH HOSPITALITY: $25,000
KEY FOUNDATION: $2,880
LUTHERAN SOCIAL SERVICES: $20,000
SALVATION ARMY: $25,000
WESTCARE: $ 19,208
WOMEN'S DEVELOP. CENTER: $17,500
CITY-WIDE APPLICATIONS (NOT MAPPED):
EOB PROJECT HOME: $15,000
WOMEN'S DEVELOP. CENTER: $17,500
HELP OF SO. NEVADA: $5,000; $15,000
CITY OF LAS VEGAS
NEIGHBORHOOD SERVICES
DEPARTMENT

Community Development Annual Plan

As noted within the Community Development five year strategic plan, the priorities are as follows:

1. Support the provision of public facilities including community centers, parks and open space, health facilities and historic preservation to improve the quality of life for lower income neighborhoods

2. Support the provision of public infrastructure including street and sidewalk reconstruction or infill as well as street lights and landscaping as part of neighborhood revitalization efforts within lower income areas

3. Provide affordable public services to low income residents with special needs who otherwise cannot afford to access such services

4. Provide affordable public services to low income residents to improve their quality of life

5. Provide economic development opportunities to low income residents to improve their standard of living and quality of life

6. Provide public service and public facilities to improve the quality of life for low income youth, particularly those considered at risk

7. Provide youth services and facilities that assist low income families achieve financial stability and self sufficiency

8. Provide supportive services and facilities for low income seniors

9. Provide for the economic development needs of low income neighborhoods

10. Provide planning efforts in support of the Consolidated Plan goals to improve housing, create suitable living environments and expand economic opportunities

11. Improve public safety through greater cooperation between the City and the Metropolitan Police Department

The following Figure 19 outlines the projects and activities that will be undertaken in the next fiscal year.

Figure 19
City of Las Vegas Community Development Activities
Action Plan 2004

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Support the provision of public facilities including community centers, parks and open space, health facilities and historic preservation to improve the quality of life for lower income neighborhoods						
H	Construct community centers to serve the various program needs of lower income neighborhoods	Develop the East Las Vegas Community/Senior Center on the southeast corner of Stewart and Eastern Avenues. The Center will include a ball room, workshops, and program space for cultural activities, senior services and library services	East Las Vegas Community/Senior Center opened October 2002. The city allocates CDBG funds each year to repay the general obligation bond issued to fund construction.	$1,046,857	CDBG	
H	Develop a mix of parks and open spaces where residents of low income neighborhoods are currently under-served	Develop parks system as outlined within the Downtown Neighborhood 2000 Plan including pocket parks, neighborhood parks and open spaces for the display of public art	Freedom Park Pool & Bathhouse anticipate completion Spring 2005 Huntridge Circle Park renovation	$2,939,525 $1,900,000	General funds	
H	Complete improvements on existing parks and/or open spaces where residents of low income neighborhoods are currently under-served	Complete improvements to existing parks as outlined within the West Las Vegas Neighborhood Plan	Doolittle Community Center completed in 2003 Doolittle Park Concession/Restroom completed in 2003 Ed Fountain Park renovation anticipate completion Spring 2004	$9,143,495 $340,939 $6,015,052	General funds CDBG 2002 General funds	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Provide health care facilities in under served low-income neighborhoods	Develop the health care center as outlined within the West Las Vegas Neighborhood Plan at Lake Mead and Martin Luther King Boulevard. This health center will provide affordable medical and dental care to children	Enterprise Health Center completed during 2000-2001. Action / Objective accomplished	$0		
M	Support the preservation of historic structures as part of neighborhood revitalization strategies within low income areas to create a unique district and stimulate economic activity and job creation	Support the preservation of 5 non-residential, historic structures within the Las Vegas High School Historic District for office or neighborhood commercial services requiring the provision of jobs for low or moderate-income residents	No funding for FY 2004	$0		
Support the provision of public infrastructure including street and sidewalk reconstruction or infill as well as street lights and landscaping as part of neighborhood revitalization efforts within lower income areas						
H	Support the reconstruction of streets within low income neighborhoods to encourage further investment through private development and increase access to existing businesses	Support the reconstruction of streets as outlined within the West Las Vegas Neighborhood Plan	Roadway and regional storm drain improvements on Vegas Drive and Owens Avenue from Rancho Drive to I-15 Freeway.	$11,588,000	City Capital Improvement Plan	N/A
		Support reconstruction of streets within the East Las Vegas Planning Area	No funding for FY 2004	$0		
H	Support the reconstruction or infill development of sidewalks within low income neighborhoods to provide safe pedestrian access and encourage further investment	Complete infill development of sidewalks as outlined within the Downtown Neighborhood 2000 Plan to provide safe pedestrian access from residential areas to nearby neighborhood commercial districts	Stewart Avenue sidewalk construction was completed during the Spring of 2003	$0		

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
	through private development	Complete the reconstruction and infill of sidewalks as outlined within the West Las Vegas Neighborhood Plan including the areas bounded by Owens Avenue, Bonanza Road, H Street and Interstate 15	No funding for FY 2004	$0		
H	Install street lighting in low income neighborhoods to increase safety and complete street design improvements within neighborhood revitalization areas	Install street lights in accordance with Streetscape and Gateway Plans as outlined within the West Las Vegas Neighborhood Plan	No funding for FY 2004	$0		
		Install streetlights in districts as outlined within the Downtown Neighborhood 2000 Plan	No funding for FY 2004	$0		
Provide affordable public services and facilities to low income residents with special needs who otherwise cannot afford to access such services						
H	Improve the living conditions of individuals with special needs and assist them in overcoming the conditions which have reduced or limited their quality of life or ability to gain self dependency	Assist local, non-profit organizations providing services to disabled and developmentally disabled individuals	Opportunity Village Fire & Life Safety Systems Rehab	$89,795	CDBG	
			EOB Treatment Center HVAC Replacement	$10,550	CDBG	
			Blind Center of Nevada Activity Floor Rehab	$247,043	CDBG	
			Economic Opportunity Board Hollyhock Adult Day Care Center HVAC Replacement	$29,975	CDBG	
			ASAP Services Case Management for Disabled / 29 people	$12,000	CDBG	
			Blind Center of NV Back to Work Program / 92 people	$22,000	CDBG	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
			Give Me A Break – Community Respite Program / 50 people	$17,600	CDBG	
			Talking Hands Life Skills Training / 1 person	$9,160	CDBG	
			EOB Hollyhock Adult Day Care / 92 people	$16,000	CDBG	
		Assist local, non-profit organizations providing services to mentally disabled individuals	Clark County Health District Columbia TeenScreen / 58 people	$9,000	CDBG	
		Assist local, non-profit organizations providing services to individuals with drug and alcohol addictions	Center for Independent Living substance abuse counseling / 58 youth	$29,000	CDBG	
			EOB Treatment Center / 82 people	$5,000	CDBG	
			Nevada Treatment Center Substance Abuse Program / 28 people	$10,000	CDBG	
H	Improve the living conditions of individuals with special needs and assist them in overcoming the conditions which have reduced or limited their quality of life or ability to gain self dependency	Assist local, non-profit organizations providing services to individuals infected with HIV/AIDS	Aid for AIDS of Nevada Housing Placement / 750 people	$30,000	HOPWA	
			Aid for AIDS of Nevada Short Term Rental Assistance / 205 people	$108,644	HOPWA	
			Caminar Case Management / 24 people	$181,213	HOPWA	
			Caminar Satellite Assisted Independent Living Program / 2 people	$100,000	HOPWA	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
			HELP of Southern Nevada Food Vouchers for HIV/AIDS clients / 600 people	$40,000	HOPWA	
			HELP of Southern Nevada Affordable Housing Database / 600 people	$38,153	HOPWA	
			Nevada Association of Latin Americans Housing & Supportive Services / 600 people	$132,000	HOPWA	
			Salvation Army, Mesquite Rental Assistance / 10 people	$50,000	HOPWA	
			Women's Development Center / 3 people	$50,000	HOPWA	
Provide affordable public services to low-income residents to improve their quality of life.						
H	Improve the quality of life for low income residents through provision of services which they could not otherwise afford to access	Assist local, non-profit organizations providing life skills training and English as a Second Language (ESL) classes and/or interpretation services to low income residents	Family Cabinet – Yes, We Can Learn English / 310 people	$20,000	CDBG	
			NALA Arturo Cambeiro Senior Center Translation Services / 20 people	$9,000	CDBG	
		Assist local, non-profit organizations providing parenting classes to low income residents	S. NV Area Health Education Stupak Center Asset Building Club / 71 people	$5,000	CDBG	
		Assist local, non-profit organizations providing food and/or clothing and/or	Jude 22 – Senior Nutrition Center / 743 people	$29,000	CDBG	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
		personal care items to low income residents	Lutheran Social Services Emergency Food Program / 2,250 people	$9,000	CDBG	
H	Improve the quality of life for low income residents through provision of services which they could not otherwise afford to access	Assist local, non-profit organizations providing legal services to low income residents	No funding for FY 2004			
		Assist local, non-profit organizations providing other public/social services to low income residents including referral services, transportation assistance, and outreach	Classroom on Wheels Computers on Wheels Program / 35 people	$21,000	CDBG	
			Ethiopian Community Development Council –Job Development & Placement Project / 14 people	$5,000	CDBG	
			Ethiopian Mutual Association – Acculturation & Job Placement Project / 395 people	$25,000	CDBG	
			Helping Hands of Vegas Valley - Senior Transportation program / 274 people	$19,000	CDBG	
			Las Vegas Indian Center / 35 people	$15,000	CDBG	
			Nevada Partners Help Yourself to Employment & Training / 45 people	$10,000	CDBG	
			Positively Kids / 64 children	$14,000	CDBG	
		Assist local, non-profit organizations providing affordable medical and dental care to low income residents	No funding for FY 2004			
Provide economic development opportunities to low income residents to improve their standard of living and quality of life.						

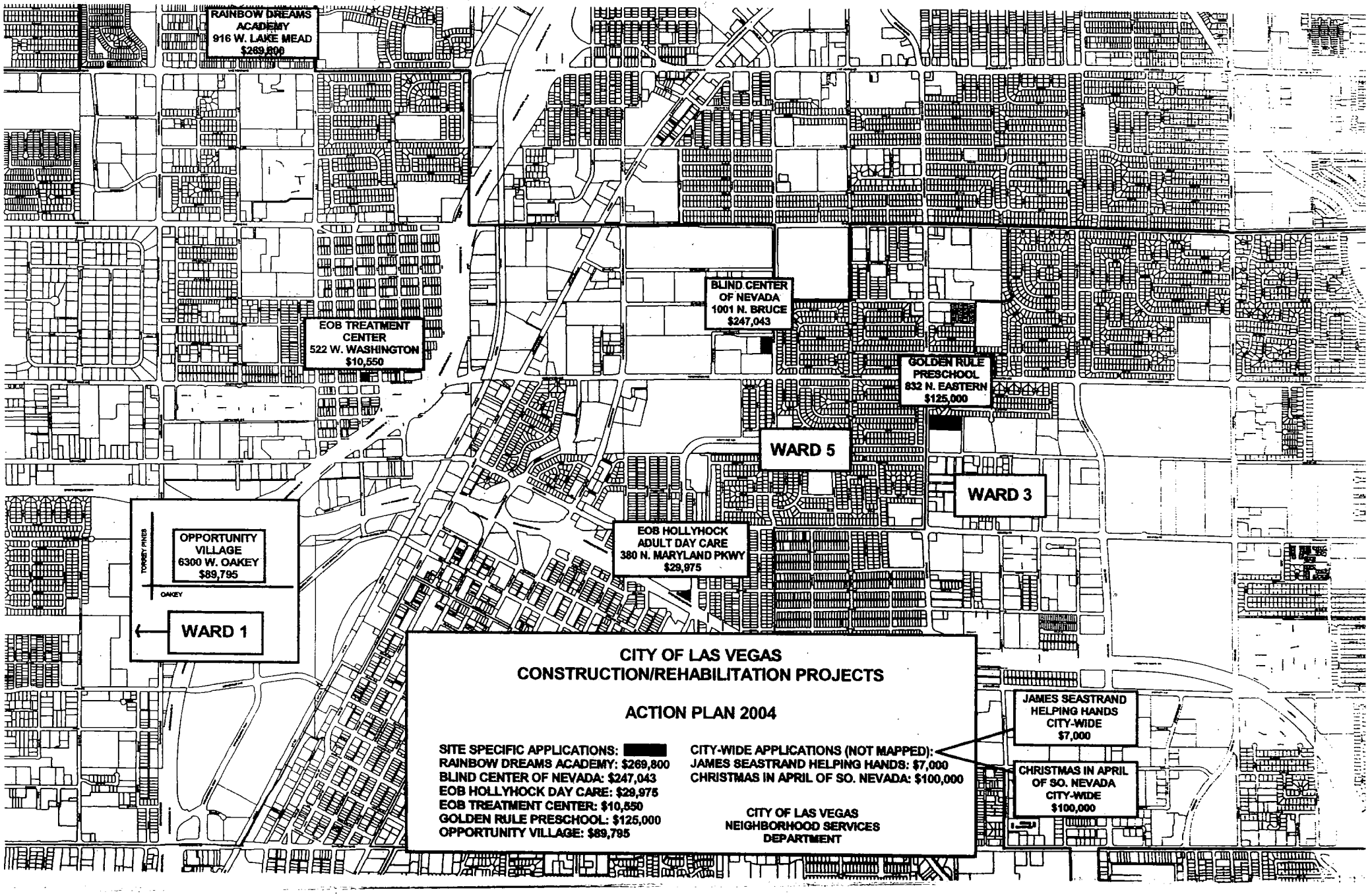
Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Provide jobs for low and moderate income residents through the development of small businesses	Support the operation of the Las Vegas Business Incubator Center program to assist a total of 250 low and moderate income residents obtain jobs	No funding for FY 2004			
Provide public service and public facilities to improve the quality of life for low income youth, particularly those considered at risk						
H	Improve the quality of life for low income youth through the support and/or expansion of outreach, intervention and diversion programs	Support provision of after school, safe key programs to serve the needs of 1,000 low income youth	City of Las Vegas Leisure Services Safekey Programs / youth	$60,000	CDBG	
			City of Las Vegas Leisure Services Youth Programs / youth	$128,745	CDBG	
		Support programs providing vocational training and incentives to obtain higher education to serve the needs of 600 low income youth	Anthony Pollard Rainbow Dream Academy Arch. & Eng.	$269,800	CDBG	
			Expertise School of Beauty TechNail Training Program / 1 youth	$5,000	CDBG	
			Freedom Enhancement Academy Doctors of Tomorrow / 10 youth	$5,000	CDBG	
			Friends of Channel 10 Reading for Smiles / 1,500 youth	$7,500	CDBG	
			Las Vegas Natural History Museum – Explore! Program / 3,276 youth	$5,000	CDBG	
			Lied Discovery Children's Museum / 112 youth	$11,245	CDBG	
			Music Development Center Youth Stars / 29 youth	$5,000	CDBG	
			Spread the Word Nevada Kids to Kids Program / 300 people	$5,000	CDBG	

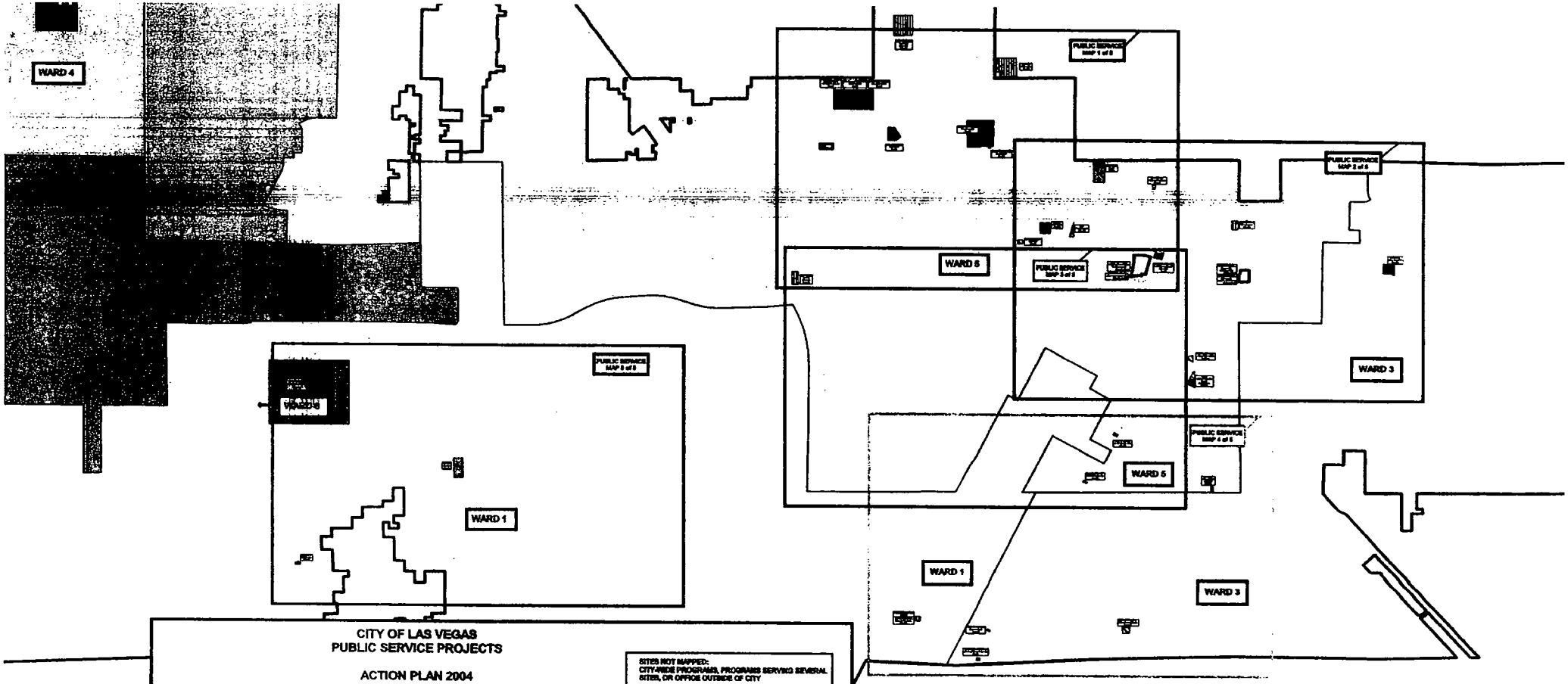
Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
		Support programs providing self esteem, mentoring and recreational activities to serve the needs of 1,000 low income youth	Academics & Athletics Connection LV Stars / 19 youth	$5,000	CDBG	
			Big Brothers Big Sisters of NV / 143 youth	$5,000	CDBG	
			Clark County Bar Association Trial by Peers / 100 youth	$5,000	CDBG	
			Committed 100 Men Helping Boys / 11 youth	$5,000	CDBG	
			Frontier Girl Scouts Taking Care of Yourself / 1,068 youth	$12,000	CDBG	
			Hen Hen Youth Sports / 12 youth	$5,000	CDBG	
			In Our Presence POPP Program / 51 youth	$7,500	CDBG	
			Las Vegas Fact Kickin It HIV Peer Education / 37 youth	$5,000	CDBG	
			Las Vegas Heat Youth Track Club / 25 youth	$5,000	CDBG	
			Las Vegas Stealth Youth Track Club / 43 youth	$5,000	CDBG	
			Nuff Sed Youth Basketball Program / 35 youth	$5,000	CDBG	
			P/S Vegas Flyers Youth Track Club / 90 youth	$9,000	CDBG	
Provide youth services and facilities that assist low income families achieve financial stability and self sufficiency						

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
H	Provide affordable, quality child care within low income neighborhoods currently underserved	Support the development and/or expansion of child care centers providing affordable, quality child care to serve the needs of 500 youth from low income families	Golden Rule Preschool	$125,000	CDBG	
		Support the operation of child care centers providing affordable, quality child care to serve the needs of 1,000 youth from low income families	Classroom on Wheels Mobile Preschool / 18 children	$34,500	CDBG	
			NALA – Child Care operations /45 children	$57,382	CDBG	
			Sunrise Children's Foundation Parent Information & Resource Center / 9 children	$7,500	CDBG	
			Variety Day Home – Child Care operations / 14 children	$45,000	CDBG	
Provide supportive services and facilities for low income seniors						
H	Develop and/or expand senior centers	Develop the East Las Vegas, Downtown Community Center and Mirabelli senior center with program space for senior activities	See Public Facilities	N/A		
H	Support programs improving the quality of life and access to services for seniors	Support the operation of organizations providing outreach, transportation, meals and other basic needs to serve 5,000 seniors	No funding for FY 2004	$0		
Provide for the economic development needs of low income neighborhoods						

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
M	Encourage private sector business development to attract services and jobs which perpetuate further economic development within low income neighborhoods	Continue to support the development of the existing 75-acre business park at the northwest corner of Martin Luther King Boulevard and Vegas Drive in the West Las Vegas Neighborhood Plan area.	No funding for FY 2004	$0		
	Encourage private sector business development to attract services and jobs which perpetuate further economic development within low income neighborhoods	Provide funds to abate dilapidated and abandoned buildings which pose a threat to the health, safety and welfare of the general public to eliminate slum & blight conditions	No funding for FY 2004	$0		
Provide planning efforts in support of the Consolidated Plan goals to improve housing, create suitable living environments and expand economic opportunities						
H	Encourage the Neighborhood Planning Process through development of new neighborhood plans and the implementation of existing neighborhood plans	Support the efforts of the Neighborhood Services Department in developing additional neighborhood plans to achieve the greatest level of citizen participation in identifying community needs as well as implementing the goals of Neighborhood Plans	No funding for FY 2004	$0		
H	Support the development of planning documents on a city wide scale in cooperation and coordination with neighborhood plans	Continue to update the Elements of the City's general plan as the population continues to grow and evaluate the implementation of objectives toward the accomplishment of neighborhood and citywide Plans	No funding for FY 2004	$0		
Improve public safety through greater cooperation between the City and the Metropolitan Police Department						
M	Foster greater cooperation and coordination between law enforcement and development within low-income neighborhoods.	Support the strategies to improve both immediate and long term public safety issues as outlined within the Downtown Neighborhood 2000 Plan	Downtown Area Command Metro Substation completed with anticipated opening date of May 2004	$4,750,000	General Funds	

Priority	Strategy	Five-Year Objective	FY 2004 Actions / Beneficiaries	Funding Amount	Funding Source	Project Table #
Administration						
	Provide the maximum value of services at a minimum administrative cost.		CDBG Program Administration & Fair Housing	$1,224,400	CDBG	
			HOPWA Program Administration	$27,480	HOPWA	


RAINBOW DREAMS ACADEMY
916 W. LAKE MEAD
$269,800
BLIND CENTER OF NEVADA
1001 N. BRUCE
$247,043
EOB TREATMENT CENTER
522 W. WASHINGTON
$10,550
GOLDEN RULE PRESCHOOL
832 N. EASTERN
$125,000
WARD 5
WARD 3
EOB HOLLYHOCK ADULT DAY CARE
380 N. MARYLAND PKWY
$29,975
TORREY PINES
OAKEY
OPPORTUNITY VILLAGE
6300 W. OAKEY
$89,795
WARD 1
CITY OF LAS VEGAS
CONSTRUCTION/REHABILITATION PROJECTS
ACTION PLAN 2004
SITE SPECIFIC APPLICATIONS:
RAINBOW DREAMS ACADEMY: $269,800
BLIND CENTER OF NEVADA: $247,043
EOB HOLLYHOCK DAY CARE: $29,975
EOB TREATMENT CENTER: $10,550
GOLDEN RULE PRESCHOOL: $125,000
OPPORTUNITY VILLAGE: $89,795
CITY-WIDE APPLICATIONS (NOT MAPPED):
JAMES SEASTRAND HELPING HANDS: $7,000
CHRISTMAS IN APRIL OF SO. NEVADA: $100,000
CITY OF LAS VEGAS
NEIGHBORHOOD SERVICES
DEPARTMENT
JAMES SEASTRAND HELPING HANDS
CITY-WIDE
$7,000
CHRISTMAS IN APRIL OF SO. NEVADA
CITY-WIDE
$100,000



CITY OF LAS VEGAS
PUBLIC SERVICE PROJECTS

ACTION PLAN 2004

YOUTH ALTERNATIVE EDUCATION PROGRAMS:

ACADEMICS ATHLETICS CONNECTION: $5000
CLARK COUNTY BAR ASSOCIATION: $5,000
COMMITTED 100 MEN HELPING BOYS: $5,000
FRONTIER GIRL SCOUTS - TAKING CARE: $12,000
HEN HEN DOGCATCHERS YOUTH: $5,800
LAS VEGAS FACT - KICKIN IT: $5,000
LAS VEGAS NATURAL HISTORY MUSEUM: $5,000
LEED DISCOVERY MUSEUM - YOUTHWORKS: $11,245
MUFF SED YOUTH BASKETBALL: $5,000
PB VEGAS FLYERS YOUTH TRACK: $5,000
SUNRISE CHILDRENS FOUNDATION: $7,800

CHILDCARE PROGRAMS

NEVADA ASSN. OF LATIN AMERICANS: $37,262
VARSITY DAY HOME CHILD CARE: $45,800

CITY OF LAS VEGAS
NEIGHBORHOOD SERVICES
DEPARTMENT

SOCIAL SERVICES PROGRAMS

CENTER FOR INDEPENDENT LIVING: $29,000
EOB HOLLYHOCK ADULT DAY CARE: $46,000
EOB TREATMENT CENTER: $3,000
GIVE ME A BREAK INC. - REPAYS: $17,000
HELPING HANDS OF SO. NEVADA: $50,000
JUDE 22 SENIOR NUTRITION CENTER: $20,000
LUTHERAN SOCIAL SERVICES EMERG. FOOD: $5,000
NEVADA ASSN OF LATIN AMERICANS: $9,000
NEVADA TREATMENT CTR. SUBSTANCE ABUSE: $19,000
SALVATION ARMY VOCATIONAL TRAINING: $5,000
SARTINI PLAZA FOOD PROGRAM: $21,000

LIFE SKILLS PROGRAMS

ASIAF SERVICES, INC.: $12,000
BLIND SERVICES OF NEVADA: $22,000
CLASSROOM ON WHEELS BOOKER SCHOOL: $21,000
ETHIOPIAN COMM. DEVELOP. COUNCIL: $5,000
ETHIOPIAN MUTUAL ASSN. OF NEVADA: $25,000
EXPERTISE SCHOOL OF BEAUTY: $5,000
FAMILY CABINET ENGLISH CLASSES: $30,000
KEY FOUNDATION JOBS FOR VETERANS: $12,800
LAS VEGAS INDIAN CENTER: $15,000
LUTHERAN SOCIAL SERVICES EXERG. SVCS: $19,000
NEVADA PARTNERS EMPLOYMENTTRAINING: $10,000
SO. NV AREA HEALTH ED. CENTER: $5,000

SITES NOT MAPPED:
CITY-WIDE PROGRAMS, PROGRAMS SERVING SEVERAL SITES, OR OFFICE OUTSIDE OF CITY

YOUTH ALTERNATIVE EDUCATION PROGRAMS

BIG BROTHERS/SISTERS OF NEVADA: $5,000
CLARK COUNTY HEALTH DISTRICT: $5,000
FREEDOM ENHANCEMENT ACADEMY: $5,000
FRIENDS OF CHANNEL 10 READING: $7,800
IN OUR PRESENCE: $7,800
LAS VEGAS HEAT TRACK CLUB: $5,000
LAS VEGAS STEALTH TRACK CLUB: $3,000
MUSIC DEVELOPMENT CENTER: $5,000
SPREAD THE WORD NEVADA KIDS: $5,000
CLV LEISURE SERVICES YOUTH PROGRAMS: $129,745

CHILDCARE PROGRAMS

CLV LEISURE SERVICES SAFEKIDY PROGRAMS: $66,000
CLASSROOM ON WHEELS: $34,000

SOCIAL SERVICES PROGRAMS

HELP OF SO. NEVADA - NEW PATH: $5,478
HELP OF SO. NEVADA - EMERG. RESOURCE: $5,000
PORTIMELY HOME, INC.: $14,000
WOMENS DEVELOP. CENTER HOUSING: $14,000

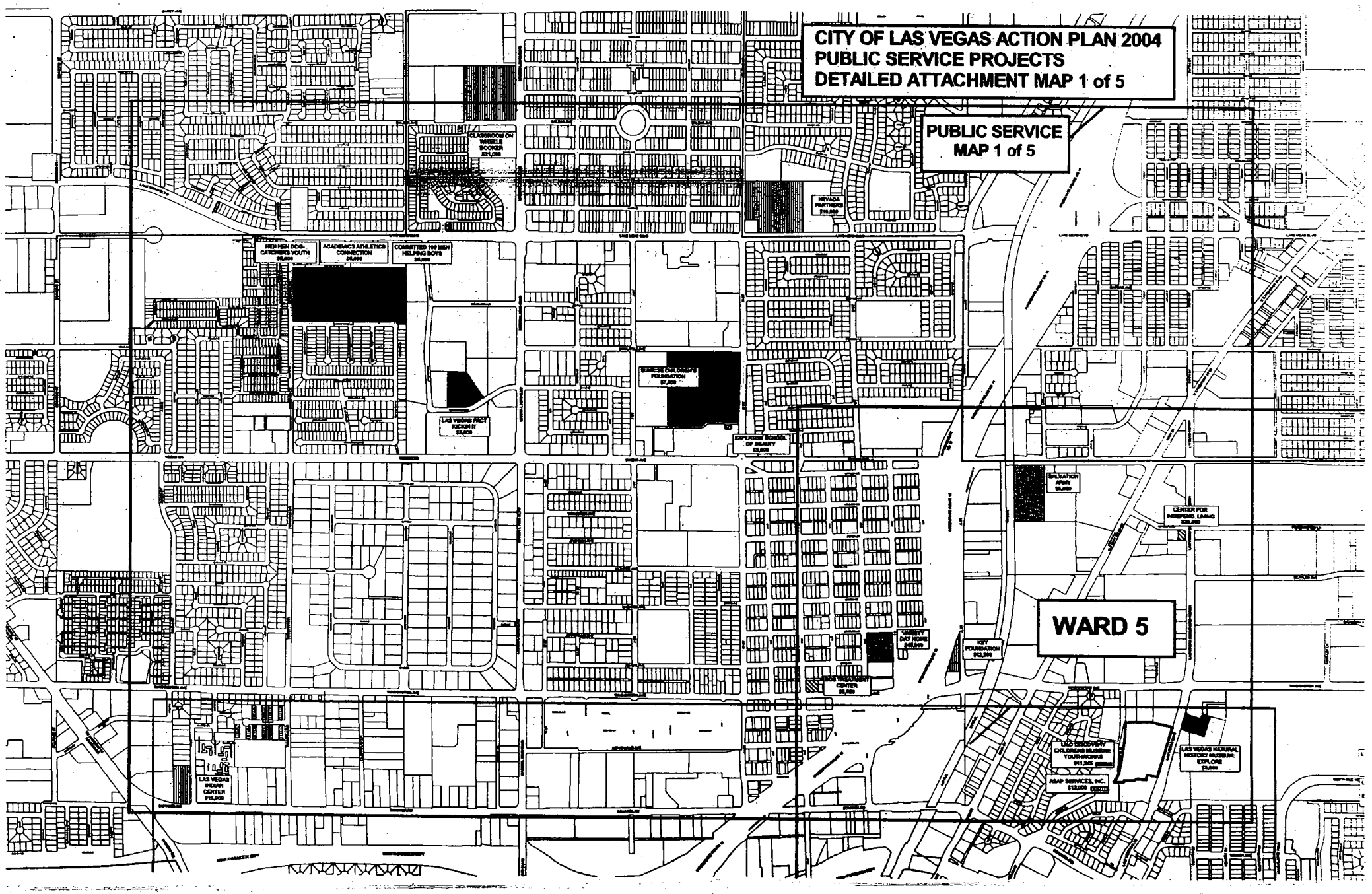
LIFE SKILLS PROGRAMS

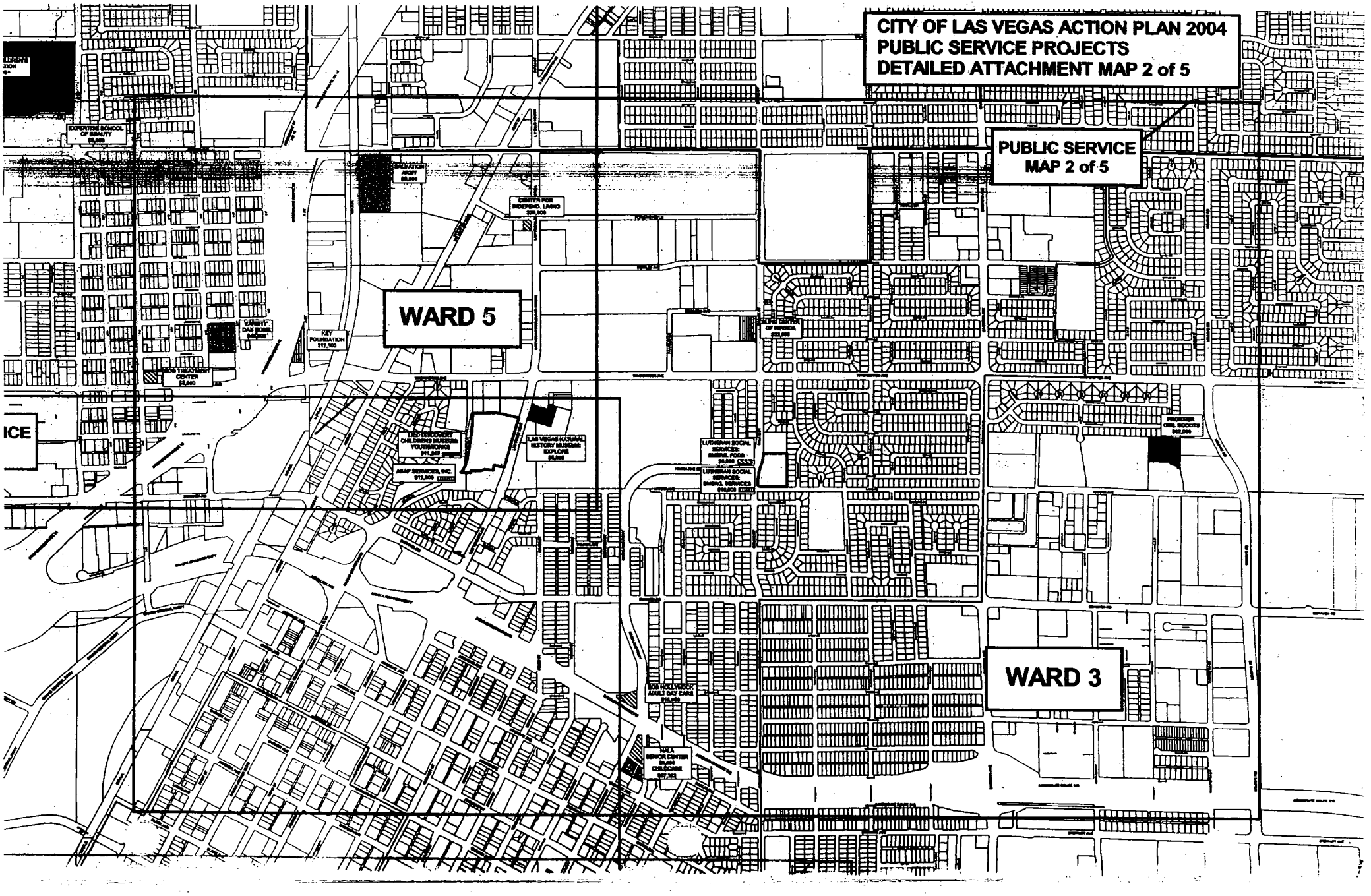
TALKING HANDS LTD.: $9,100

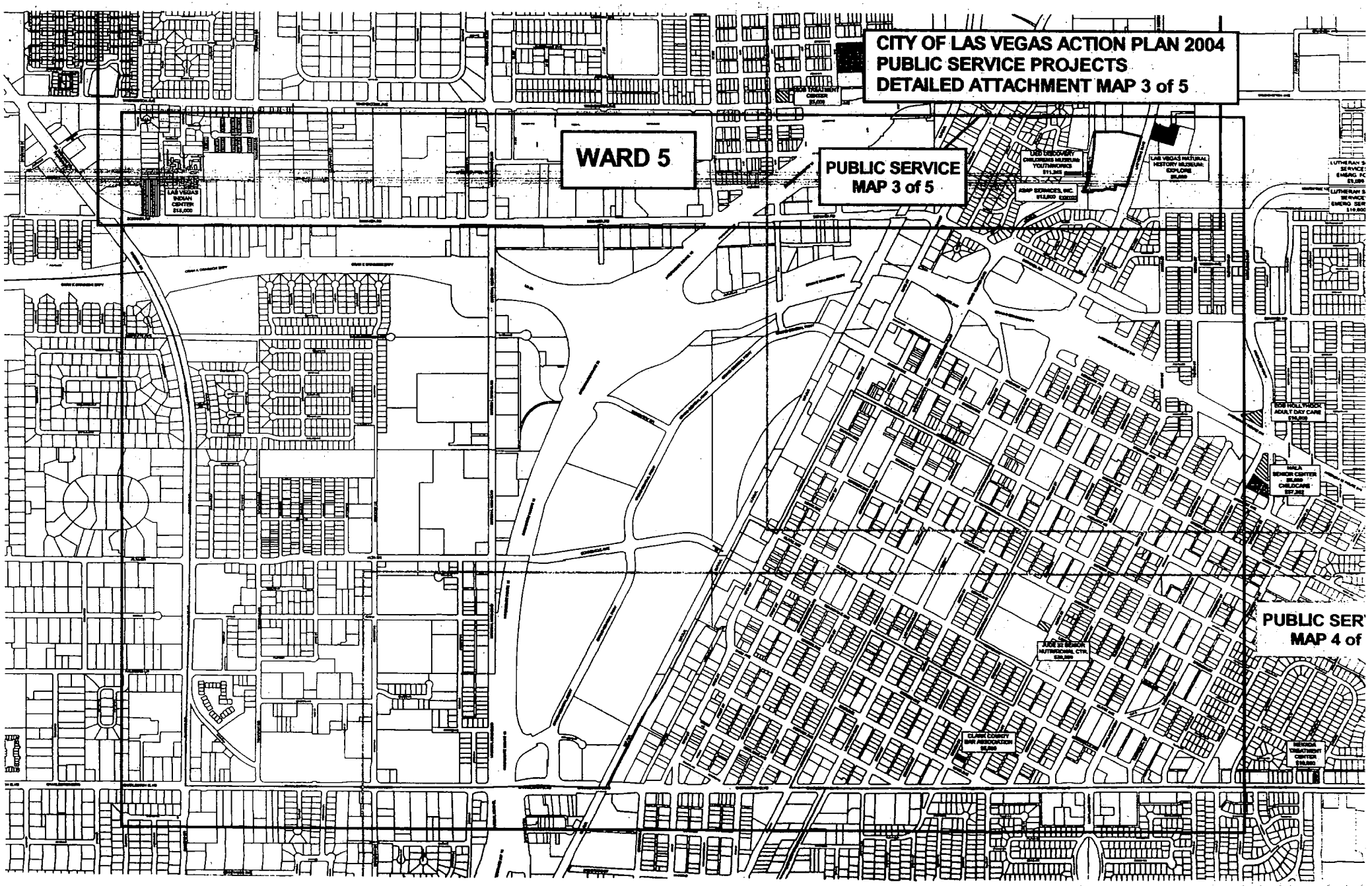
CITY OF LAS VEGAS
PUBLIC SERVICE PROJECTS
ACTION PLAN 2004

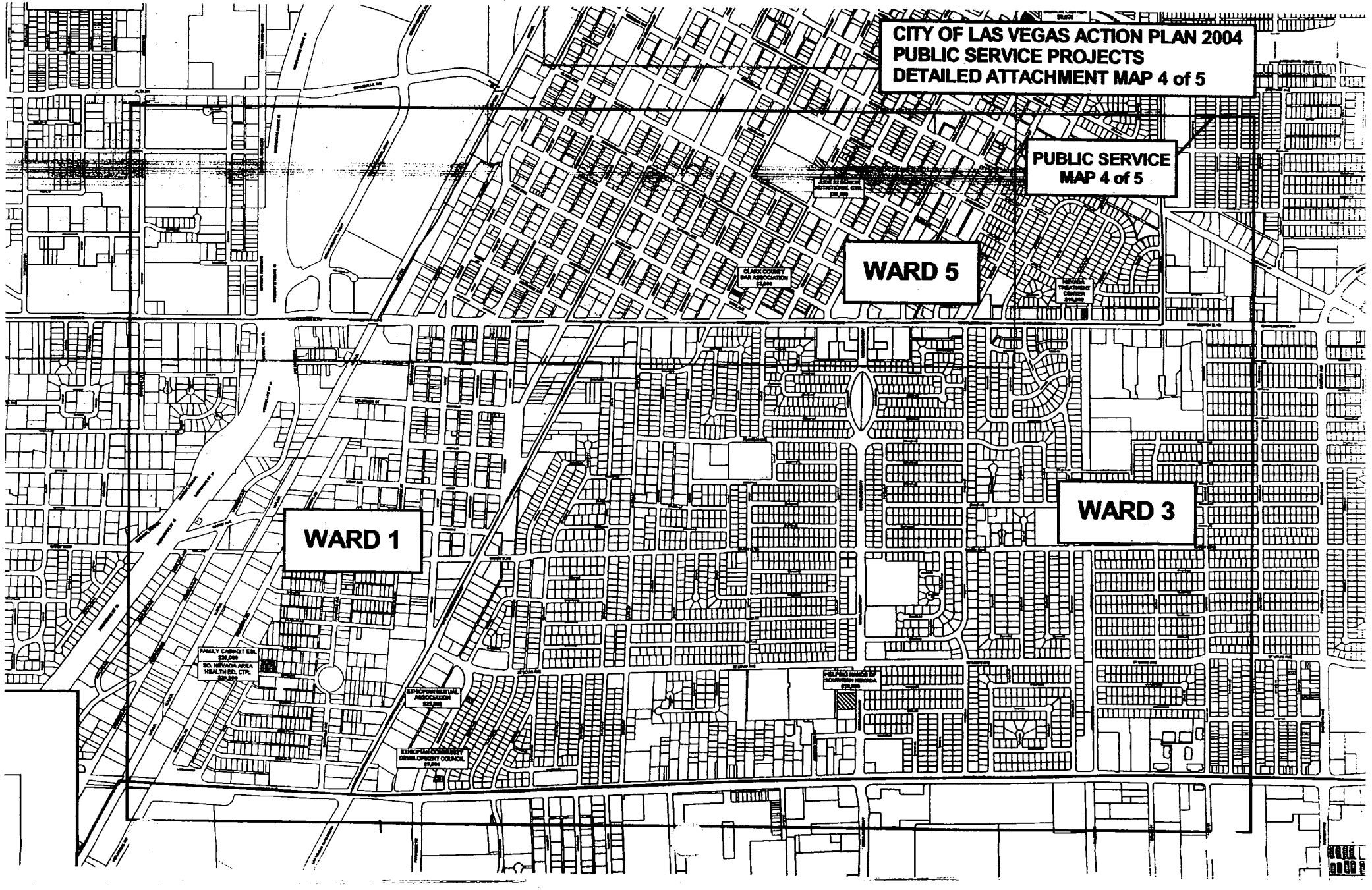
COVER SHEET

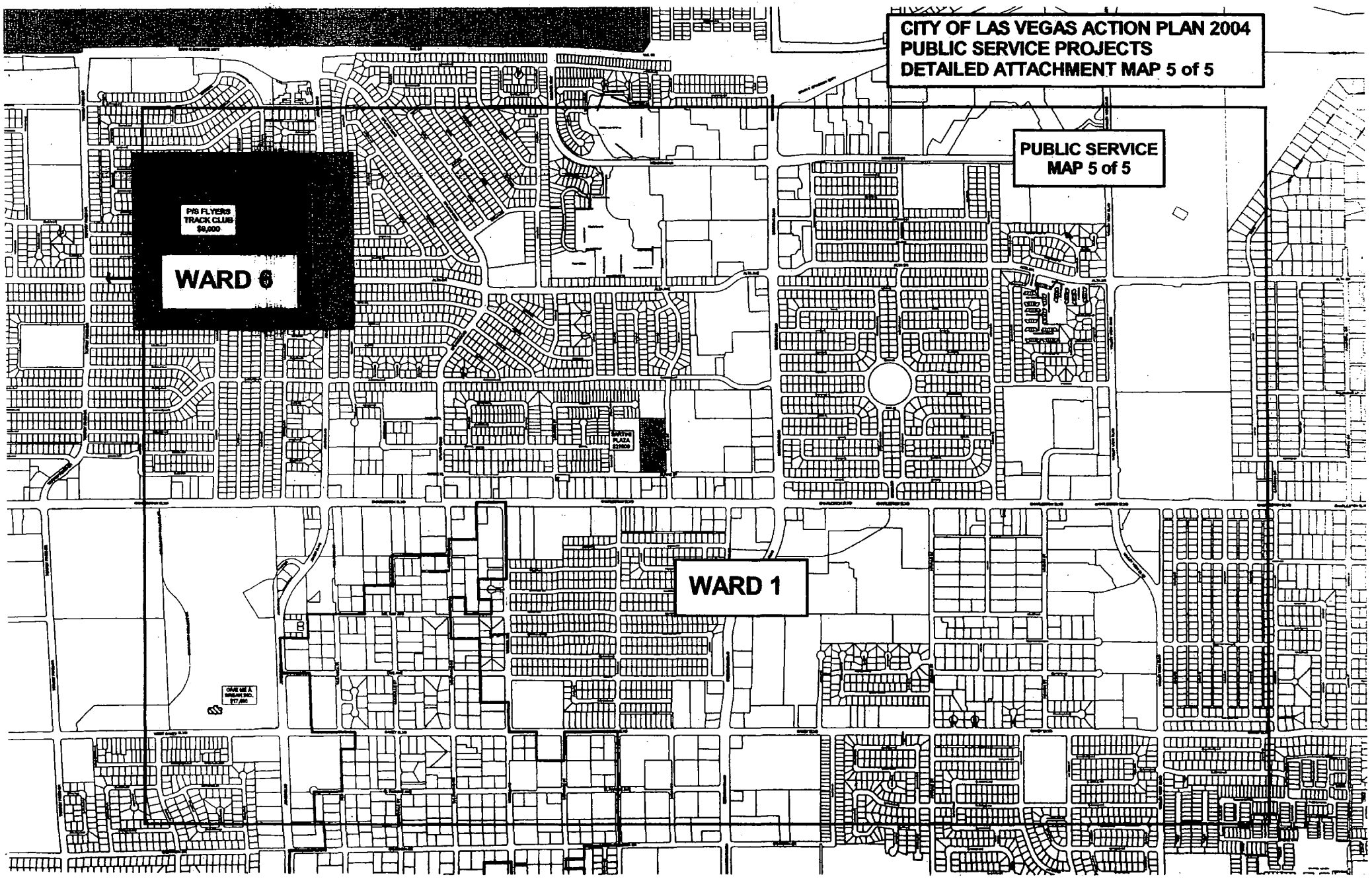
NOTE:
SEE THE ATTACHED FIVE DETAILED MAPS IDENTIFIED ON THIS SHEET


CITY OF LAS VEGAS ACTION PLAN 2004
PUBLIC SERVICE PROJECTS
DETAILED ATTACHMENT MAP 1 of 5
PUBLIC SERVICE
MAP 1 of 5
WARD 5


CITY OF LAS VEGAS ACTION PLAN 2004
PUBLIC SERVICE PROJECTS
DETAILED ATTACHMENT MAP 2 of 5
PUBLIC SERVICE
MAP 2 of 5
WARD 5
WARD 3


CITY OF LAS VEGAS ACTION PLAN 2004
PUBLIC SERVICE PROJECTS
DETAILED ATTACHMENT MAP 3 of 5
WARD 5
PUBLIC SERVICE
MAP 3 of 5
PUBLIC SER
MAP 4 of


CITY OF LAS VEGAS ACTION PLAN 2004
PUBLIC SERVICE PROJECTS
DETAILED ATTACHMENT MAP 4 of 5
PUBLIC SERVICE
MAP 4 of 5
WARD 5
WARD 3
WARD 1


CITY OF LAS VEGAS ACTION PLAN 2004
PUBLIC SERVICE PROJECTS
DETAILED ATTACHMENT MAP 5 of 5
PUBLIC SERVICE
MAP 5 of 5
P/S FLYERS
TRACK CLUB
$9,000
WARD 6
WARD 1

Other Actions

Actions to Reduce Poverty

The average poverty threshold for a family of four, according to 2000 census data, is $17,603. The poverty levels have been applied nationwide and do not take into account regional variations in the price of food, clothing and shelter. In 2000, there were 56,053 persons or 12% of the population living below poverty level within the City of Las Vegas. These are the persons most likely to be receiving public assistance in the form of health care, food subsidy programs and other financial assistance programs. These individuals are also among the households threatened with homelessness.

The goal is to ultimately cure the problem of poverty not merely treat the symptoms. While subsidized housing, food programs and provision of clothing treat the symptoms of poverty, they do not address the issues that placed or keep people in poverty. The provision of childcare alone affords persons the opportunity to obtain an education they otherwise would be unable to pursue because they are attending to the needs of their children, an obligation that certainly takes priority. Furthermore, the creation of employment opportunities helps to break the cycle of poverty, allowing a person to earn an income above the poverty level as well as gain experience and skills they can use to advance to even higher paying positions in the future.

The City is assisting individuals and families to improve their financial stability through support of programs including:

Child Care Facilities and Services

The city is supporting the provision of affordable childcare to assist low income families achieve financial stability and self-sufficiency through facility improvements and support of operational costs. The City anticipates the provision of child care services to 39 children of low-income families through CDBG and 672 through the Child Care Improvement Grant (CCIG), administered by Neighborhood Services, during the program year. In addition, the City is supporting the operation of before and after school programs anticipated to serve over 100 youth.

Life Skills Training

English as a second language, parenting and citizenship classes improve employment, education and family self-sufficiency opportunities for low-income families. The city is supporting the operation of life skills and employment training programs anticipated to serve 915 residents as well as ESL classes to serve 260 residents this program year.

Actions to Develop Institutional Structure and Enhance Coordination

The City of Las Vegas will continue to meet quarterly with Clark County, North Las Vegas, Mesquite, and Boulder City (the Consortium) to coordinate projects and programs serving the needs of the entire Las Vegas Valley. In addition, the City will continue to attend the HUD Community Builders quarterly meetings, which bring together the local jurisdictions, and Housing Authorities.

Monitoring

Included in the sub-recipient contract is an "on-site monitoring" section. It stipulates that the program under the agreement will be subject to "on-site monitoring" by a City or HUD representative on a 24-hour notice during normal working hours. It also states that the representatives shall be granted access to all records pertaining to the Program. Representatives may, on occasion, request to interview program recipients who volunteer to be interviewed.

An additional section of the sub-recipient contract addresses access to records. It states that at any time during normal business hours, City or HUD representatives shall make the sub-recipients records, with respect to matters covered by the agreement available for audit, examination, and review.

A monitoring form has been developed in compliance with federal regulations for use when staff conducts its annual visit to the agency or project site. This form addresses all the required certifications, insurance, legal documents, environmental review and is used to conduct a random sampling to confirm eligibility of clients, and that appropriate documentation of such is in their files. It is also used to verify and tag any equipment that may have been purchased with grant funds. If the agency has any grant-funded employees, payroll tax returns and W-2's are checked to make sure they were completed and submitted to the IRS.

When OMB raised the ceiling to $500,000 for an A-133 audit, the Neighborhood Services Department added language in the sub-recipient grant contracts stipulating that if an agency received more than $50,000, but less than $500,000, in federal grant funds from the City for two consecutive years, they must submit an audited financial statement.

City of Las Vegas

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

EXTENSION OF TIME - SPECIAL USE PERMIT

80 **EOT-4166** - Applicant/Owner: Citystop VI, Limited Liability Company

EXTENSION OF TIME - REZONING

81 **EOT-4181** - Applicant/Owner: Golden Rule, Inc.

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

82 **EOT-4191** - Applicant/Owner: Golden Rule, Inc.

DISCUSSION/ACTION ITEMS

REVIEW OF CONDITION - PUBLIC HEARING

83 **ROC-4170** - Applicant: Astoria Homes - Owner: Astoria Northwest 40, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

84 **SDR-3996** - Applicant: First Street Ventures, Limited Liability Company – Owner: Equilos Enterprises, Limited Liability Company

MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

85 **MDR-3867** - Applicant/Owner: Howard Hughes Properties

MAJOR MODIFICATION - PUBLIC HEARING

86 **MOD-3955** - Applicant: Cliff's Edge, Limited Liability Company – Owner: Cliff's Edge, Limited Liability Company, et al

VACATION - PUBLIC HEARING

87 **VAC-3861** - Applicant: City of Las Vegas

88 **VAC-3926** - Applicant: Henry Brent Company – Owner: Steadfast AMX I, Limited Liability Company and Steadfast AMX II, Limited Liability Company

89 **VAC-3932** - Applicant: Pacific Coast Development – Owner: Dark, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two
INDEX
City Council Meeting of May 5, 2004

VARIANCE - PUBLIC HEARING

90 **ABEYANCE ITEM - VAR-3880** - Applicant/Owner: Asie Jah

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-3880 - PUBLIC HEARING

91 **ABEYANCE ITEM - SDR-3710** - Applicant/Owner: Asie Jah

VARIANCE - PUBLIC HEARING

92 **VAR-4001** - Applicant/Owner: Joseph & Lonnie Noble

REZONING RELATED TO VAR-4001 - PUBLIC HEARING

93 **ZON-3998** - Applicant/Owner: Joseph & Lonnie Noble

WAIVER RELATED TO VAR-4001 AND ZON-3998 - PUBLIC HEARING

94 **WVR-4002** - Applicant/Owner: Joseph & Lonnie Noble

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4001, ZON-3998 AND WVR-4002 - PUBLIC HEARING

95 **SDR-3999** - Applicant/Owner: Joseph & Lonnie Noble

VARIANCE - PUBLIC HEARING

96 **ABEYANCE ITEM - VAR-3288** - Applicant: Paul and Sandy Brosseau

97 **VAR-4232** - Applicant: Taney Engineering - Owner: Citation Homes

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4232 - PUBLIC HEARING

98 **SDR-4139** - Applicant: Taney Engineering - Owner: Citation Homes

REQUIRED ONE-YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

99 **RQR-4177** - Applicant: Jackpot Bail Bonds - Owner: Krishna, Inc.

SPECIAL USE PERMIT - PUBLIC HEARING

100 **ABEYANCE ITEM - SUP-3152** - Applicant: Noriko Takada Oba Qualified Trust – Owner: Reagan National Advertising

101 **SUP-3947** - Applicant: Jason Aguirre – Owner: THL, Limited Liability Company

102 **SUP-3961** - Applicant: Nameer Kalandos – Owner: Mehran David Kohanbash

103 **SUP-3969** - Applicant: Advance America, Cash Advance Centers of Nevada, Inc. – Owner: Roger Anderson

104 **SUP-3972** - Applicant: Regan National Advertising - Owner: J.G. Sahara, Limited Liability Company

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three
INDEX
City Council Meeting of May 5, 2004

SPECIAL USE PERMIT - PUBLIC HEARING

105 **SUP-3973** - Applicant: Regan National Advertising - Owner: Rita Quam Family Trust
106 **SUP-3983** - Applicant: Scott Stromwall – Owner: Ray St. Clair
107 **SUP-3984** - Applicant: Island Restaurant – Owner: Howard Hughes Canyon Pointe Q4
108 **SUP-3986** - Applicant: Mustafa Kavruklar – Owner: Rita Quam Family Trust

REZONING - PUBLIC HEARING

109 **ABEYANCE ITEM - ZON-2457** - Donna F. Beam Revocable Trust

SPECIAL USE PERMIT RELATED TO ZON-2457 - PUBLIC HEARING

110 **ABEYANCE ITEM - SUP-3896** - Applicant: Investment Equity Builders – Owner: Donna F. Beam Revocable Trust

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2457 AND SUP-3896 - PUBLIC HEARING

111 **ABEYANCE ITEM - SDR-2458** - Donna F. Beam Revocable Trust

REZONING - PUBLIC HEARING

112 **ABEYANCE ITEM - ZON-3665** - Applicant/Owner: Donna J. Capri
113 **ABEYANCE ITEM - ZON-3919** - Applicant/Owner: Cornerstone Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3919 - PUBLIC HEARING

114 **ABEYANCE ITEM - SDR-3920** - Applicant/Owner: Cornerstone Company

REZONING - PUBLIC HEARING

115 **ZON-3708** - Applicant/Owner: Emerald Crest Holdings, Limited Liability Company
116 **ZON-4124** - Applicant/Owner: David Litvak

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4124 - PUBLIC HEARING

117 **SDR-3768** - Applicant/Owner: David Litvak

REZONING - PUBLIC HEARING

118 **ZON-3976** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company

SPECIAL USE PERMIT RELATED TO ZON-3976 - PUBLIC HEARING

119 **SUP-3980** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company

City of Las Vegas

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3976 AND SUP-3980 - PUBLIC HEARING

120 **SDR-3979** - Applicant: Chrysalis Investments, Limited Liability Company – Owner: SCME, Limited Liability Company

REZONING - PUBLIC HEARING

121 **ZON-3995** - Applicant/Owner: Twin Lakes Baptist Church

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-3995 - PUBLIC HEARING

122 **SDR-3997** - Applicant/Owner: Twin Lakes Baptist Church

GENERAL PLAN AMENDMENT - PUBLIC HEARING

123 **GPA-3977** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al

REZONING RELATED TO GPA-3977 - PUBLIC HEARING

124 **ZON-3981** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING

125 **SDR-3982** - Applicant: Dr. Jas Grover – Owners: Helen Goulette, et al

GENERAL PLAN AMENDMENT - PUBLIC HEARING

126 **GPA-3985** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company

REZONING RELATED TO GPA-3985 - PUBLIC HEARING

127 **ZON-3987** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING

128 **SDR-3988** - Applicant/Owner: John Lee and Ong Partners, Limited Liability Company

GENERAL PLAN AMENDMENT - PUBLIC HEARING

129 **GPA-4000** - Applicant/Owner: Valencia Communities, Inc.

VARIANCE RELATED TO GPA-4000 - PUBLIC HEARING

130 **VAR-4005** - Applicant/Owner: Valencia Communities, Inc.

City of Las Vegas

REZONING RELATED TO GPA-4000 AND VAR-4005 - PUBLIC HEARING
131 **ZON-4003** - Applicant/Owner: Valencia Communities, Inc.

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, VAR-4005 AND ZON-4003 - PUBLIC HEARING
132 **SDR-4004** - Applicant/Owner: Valencia Communities, Inc.

City of Las Vegas

Agenda Item No. 80

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
EXTENSION OF TIME - SPECIAL USE PERMIT - **EOT-4166 - APPLICANT/OWNER: CITYSTOP VI, LIMITED LIABILITY COMPANY** - Request for an Extension of Time of an approved Special Use Permit (U-0032-02) FOR A MINOR AUTO REPAIR FACILITY at 3220 North Durango Drive (APN: 138-09-422-003, 004 and 005), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

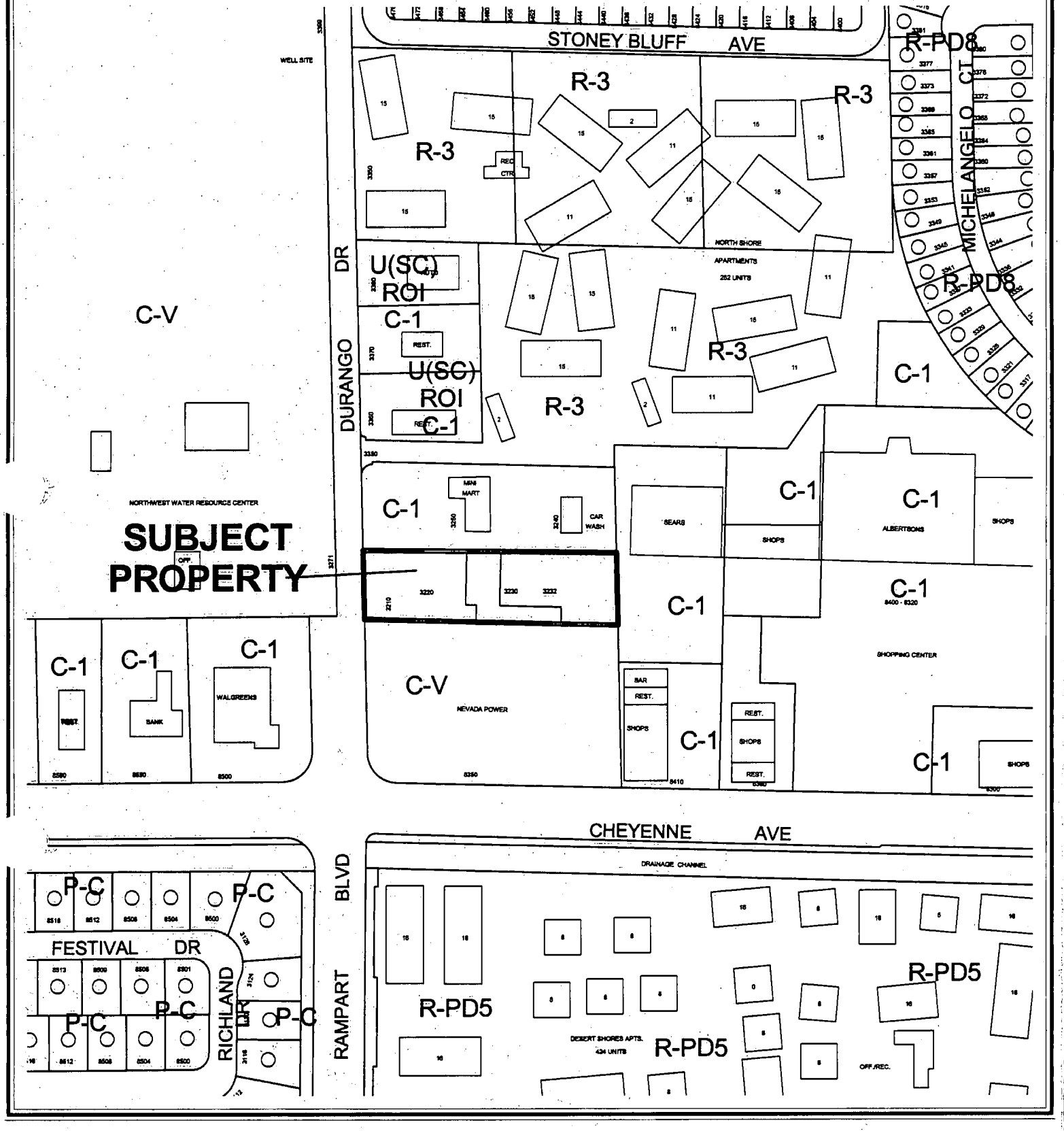
MOTION:
BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
There was no discussion.

(1:31)
4-257

CONDITIONS:
Planning and Development
1. This Extension of Time will expire on June 5, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Special Use Permit (U-0032-02).

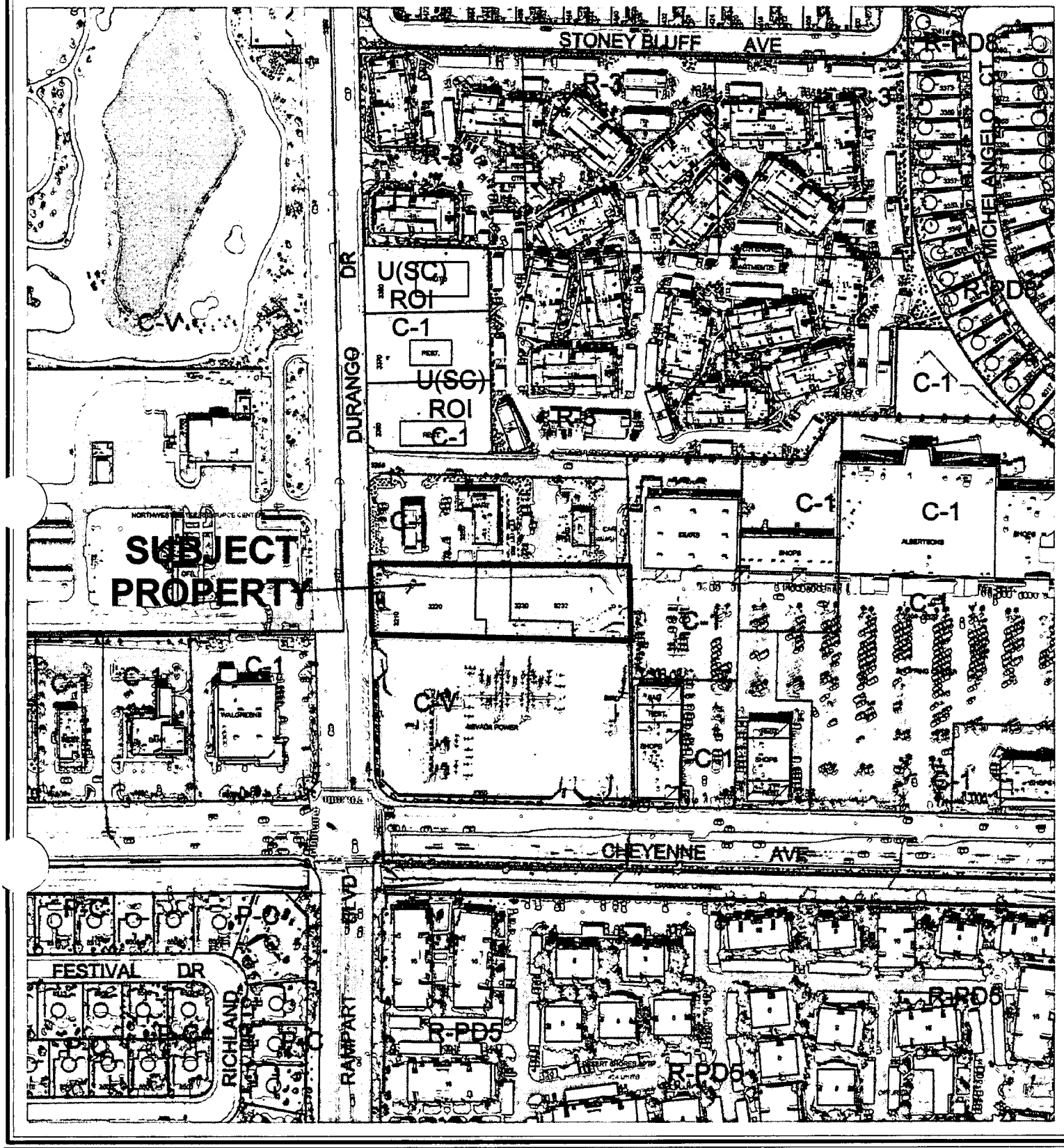


0 200 400 Feet

CASE: **EOT-4166**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



0 200 400 Feet

CASE: **EOT-4166**

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-4166 - APPLICANT/OWNER: CITYSTOP VI, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends APPROVAL, Subject to:

Planning and Development

1. This Extension of Time will expire on June 5, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Special Use Permit (U-0032-02).

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for an Extension of Time on an approved Special Use Permit (U-0032-02) for an Auto Repair Garage, Minor, at 3220 North Durango Drive.

B) Applicant's Justification

The applicant justifies this request by stating that the buildings are being constructed for use as a minor auto repair facility; however, a tenant has not yet been chosen to occupy the buildings. The site has not changed since approval of the project.

BACKGROUND INFORMATION

A) Previous Actions

11/30/93	The subject property was Annexed into the City of Las Vegas (A-0013-93).
03/16/94	The City Council approved a request for a Rezoning (Z-0007-94) to C-1 (Limited Commercial) on this property as part of a larger request. The Planning Commission recommended approval on 02/24/94. Staff recommended approval.
08/13/98	The Planning Commission approved a request for a Site Development Plan Review [Z-0007-94(5)] for a proposed 31,283 square foot retail shopping center on this property. Staff recommended approval.
10/20/99	The City Council approved a request for a Special Use Permit (U-0094-99) for a Minor Automotive Repair Facility on this property. The Planning Commission recommended approval on 09/09/99. Staff recommended approval.
05/03/00	The City Council approved requests for Special Use Permits for the Sale of Beer and Wine for Off-Premise Consumption (U-0021-00) and for Gasoline Sales (U-0022-00) in conjunction with a proposed convenience store on this property. The Planning Commission recommended approval on 03/23/00. Staff recommended denial of U-0021-00 and recommended approval of U-0022-00.
06/07/00	The City Council approved a request for a Special Use Permit (U-0020-00) for a Car Wash/Auto Detail facility on this property. The Planning Commission recommended approval on 04/27/00. Staff recommended approval.

06/07/00 The City Council approved a request for a Site Development Plan Review [Z-0007-94(6)] for a proposed 8,065 square foot commercial center on this property. The Planning Commission recommended approval on 04/27/00. Staff recommended approval.

10/18/00 The City Council approved a request for a Site Development Plan Review [Z-0007-94(7)] for a proposed 100 square foot Auto Smog Check facility on this property. The Planning Commission recommended approval on 09/14/00. Staff recommended approval.

09/28/00 The Planning Commission approved a Final Map (FM-0053-00) for City Stop #6 (A Commercial Subdivision). Staff recommended approval.

03/07/02 Recordation of the Final Map for City Stop #6 Commercial Subdivision. The property is later split into four separate parcels.

06/05/02 The City Council approved a request for a Special Use Permit (U-0032-02) for a proposed Minor Auto Repair Garage on the subject site. The Planning Commission recommended approval on 05/09/02. Staff recommended approval.

06/19/02 The City Council approved a Two-Year Review [U-0020-00(1)] on an approved Special Use Permit for a Car Wash/Auto Detail facility. Staff recommended approval with no further reviews.

08/06/03 The City Council approved a request for a Review of Condition No. 5 (ROC-2439) of an approved Site Development Plan Review [Z-0007-94(6)], which limited freestanding signage on the site to a maximum height of 15 feet. The Planning Commission recommended approval on 07/10/03. Staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.35

B) Existing Land Use

Subject Property:	On-Premise Sign
North:	Convenience Store with Fuel Pumps, Car Wash
South:	Nevada Power Substation
East:	Parking Lot for Retail Development
West:	Northwest Water Resource Center

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	PF (Public Facilities)
East:	SC (Service Commercial)
West:	PR-OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property:	U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)
North:	C-1 (Limited Commercial)
South:	C-V (Civic)
East:	C-1 (Limited Commercial)
West:	C-V (Civic)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. This category allows low to medium intensity retail, office or other commercial uses that do not include more intense general commercial characteristics. The proposed Auto Repair Garage, Minor use and C-1 (Limited Commercial) zoning district are in conformance with the SC (Service Commercial) land use category.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		**X**
Special Overlay District		**X**
Trails		**X**
Study Area		**X**
Rural Preservation Neighborhood		**X**
County/North Las Vegas/HOA Notification		**X**
Development Impact Notification Assessment		**X**
Project of Regional Significance		**X**

No special districts, zones, or studies are related to the subject site.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The subject site is currently under a Resolution of Intent to C-1 (Limited Commercial). An Auto Repair Garage, Minor use is allowed in the C-1 (Limited Commercial) zoning district with approval of a Special Permit.

- Use

A Minor Auto Repair Garage is defined by the Las Vegas Zoning Code (Title 19) as a facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less; such repairs and service exclude engine, transmission and differential repair or installation. These repairs will be performed in conjunction with a convenience store with fuel pumps and car wash on the property to the north.

According to the approved site plan, the proposed Minor Auto Repair Garage will consist of three buildings on three adjacent parcels containing 11 service bays. The bays do not face the Durango Drive right-of-way, and the property is adequately screened by landscaping from adjacent properties. This use can be operated in a manner that is compatible with the existing and future public facilities and commercial land uses in the vicinity of this site.

According to Title 19.18.060, a Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required. No business license for a Minor Auto Repair Garage has been issued or applied for on the subject property as of the date of this report. An approved Extension of Time will be necessary if a business license is not obtained by June 5, 2004. Permits have been issued for the three buildings, and their construction is nearing completion.

- Conditions

There are no base conditions for approval of a Special Use Permit for the Auto Repair Garage, Minor use in a C-1 (Limited Commercial) zoning district. The conditions of approval for the original Special Use Permit (U-0032-02) are still applicable to the site and are also recommended for the approval of this Extension of Time request.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060, the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   An Auto Repair Garage, Minor use is within the range of allowable uses in the C-1 (Limited Commercial) zoning district. This use can be operated in a manner that is compatible with existing and future land uses, if the conditions of approval of the Special Use Permit (U-0032-02) are met.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is specifically designed to accommodate 11 auto service bays and will have an adequate number of parking spaces to accommodate the proposed minor auto repair development.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The proposed minor auto repair facility will have access to Durango Drive, a fully developed Primary Arterial as designated on the Master Plan of Streets and Highways, and will not negatively affect the surrounding street network.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed minor auto repair facility will be subject to inspection by the City and will not compromise the health, safety and general welfare of the public.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ~~U-0002-02~~ EOF-4166 APN: 138-09-401-019

Name of Property Owner: Citystop VI, LLC

Name of Applicant: Citystop VI, LLC (Bruce Familian)

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes __X__No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Bruce I. Familian

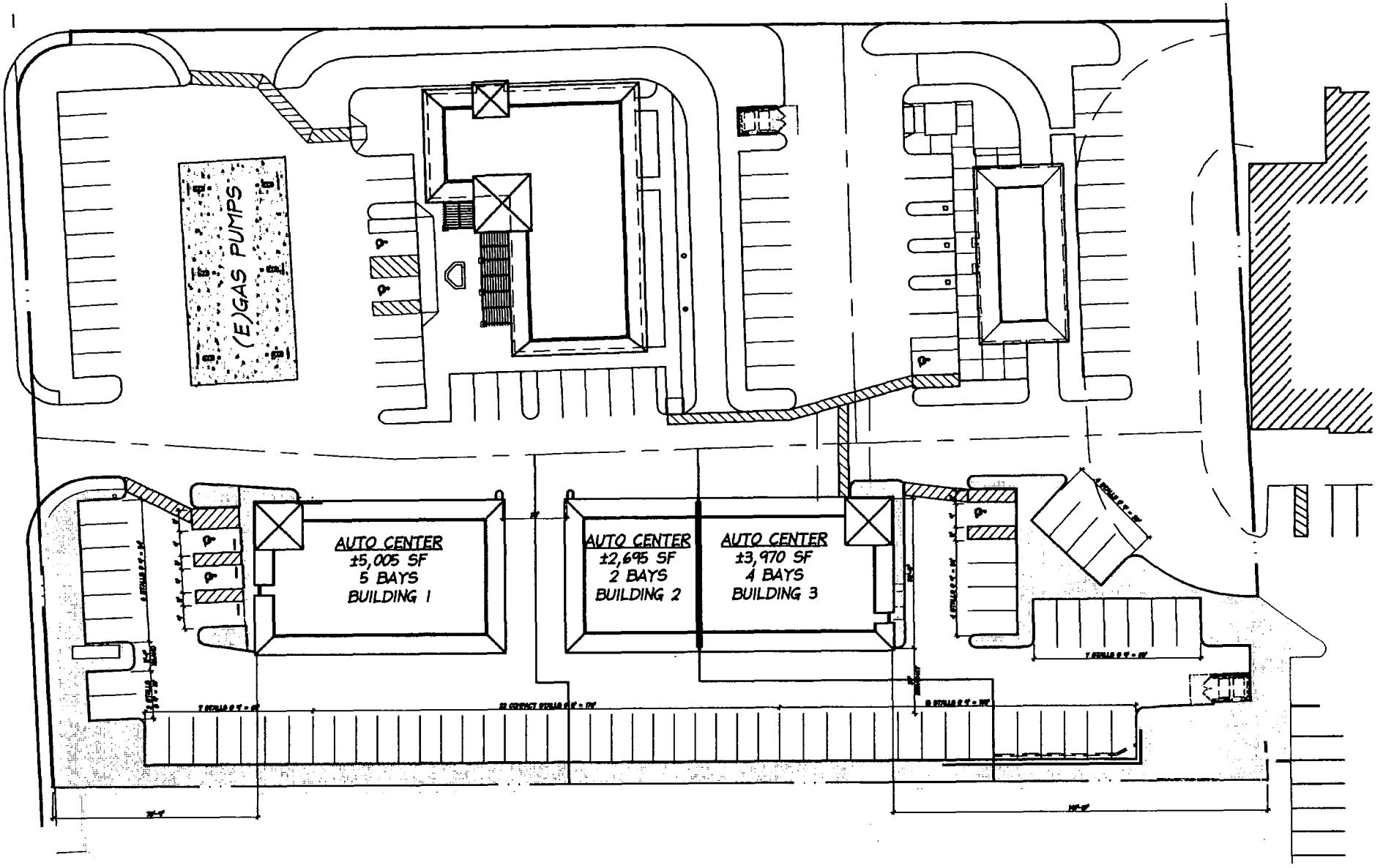
Subscribed and sworn before me

This 24th day of March, 2004

Connie Wittler

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CONNIE WITTLER
Appt. No. 02-75920-1
My Appt. Expires June 7, 2006



1 SITE PLAN
1" = 50'-0"

EOT-4166

5-5-04 CC



EOT-4166 - APPLICANT/OWNER: CITYSTOP VI, LIMITED LIABILITY COMPANY
3220 North Durango Drive
MAY 5, 2004 CITY COUNCIL MEETING

Picture taken 04/07/04

City of Las Vegas

Agenda Item No. 81

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
EXTENSION OF TIME - REZONING - **EOT-4181 - OWNER/APPLICANT: GOLDEN RULE, INC.** - Request for an Extension of Time on an approved Rezoning (Z-0092-01) FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential) on 2.99 acres at 832 North Eastern Avenue (APN: 139-25-301-001), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

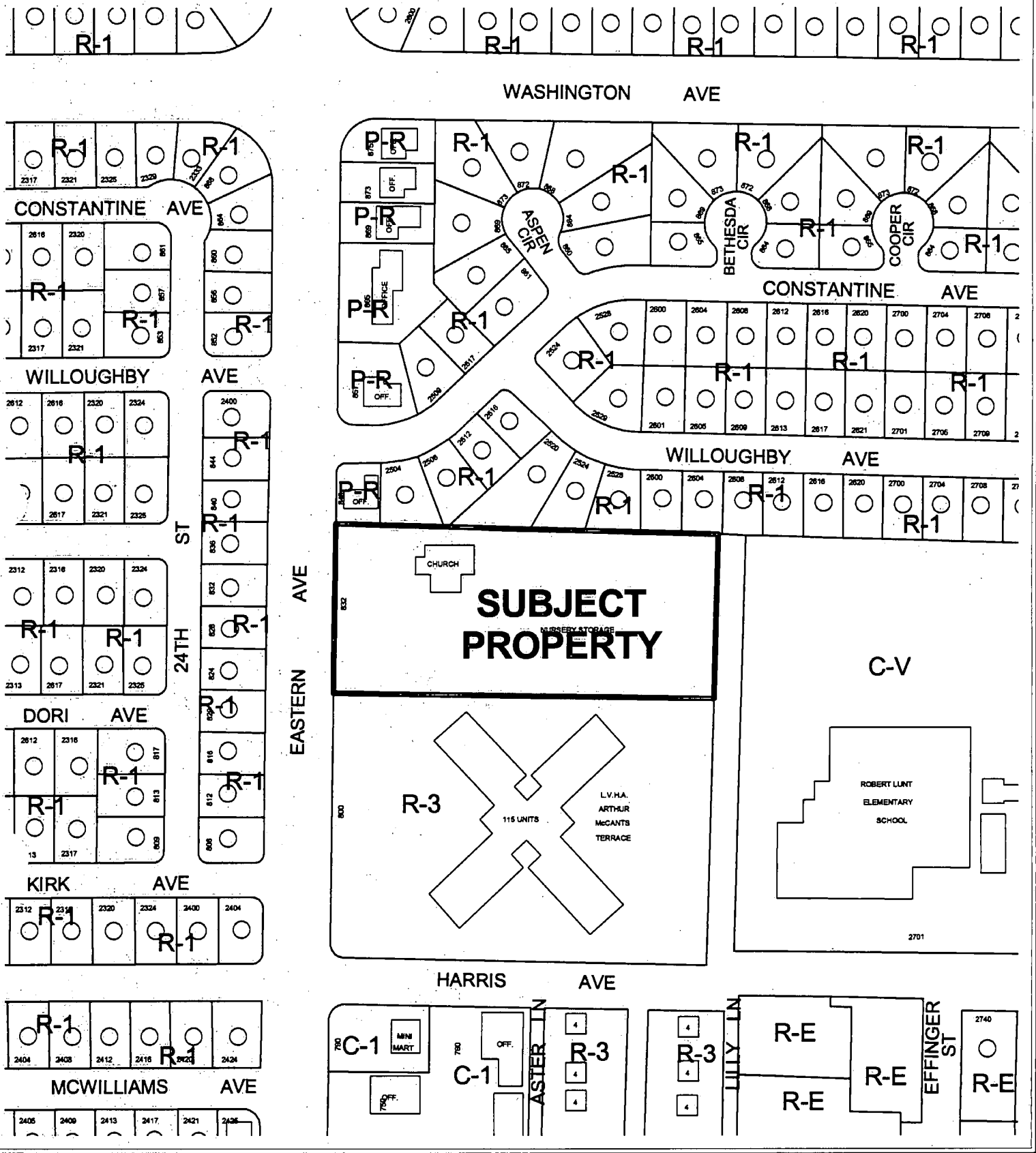
MOTION:
BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
There was no discussion.

1:31)
4-257

CONDITIONS:
Planning and Development
1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning (Z-0092-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

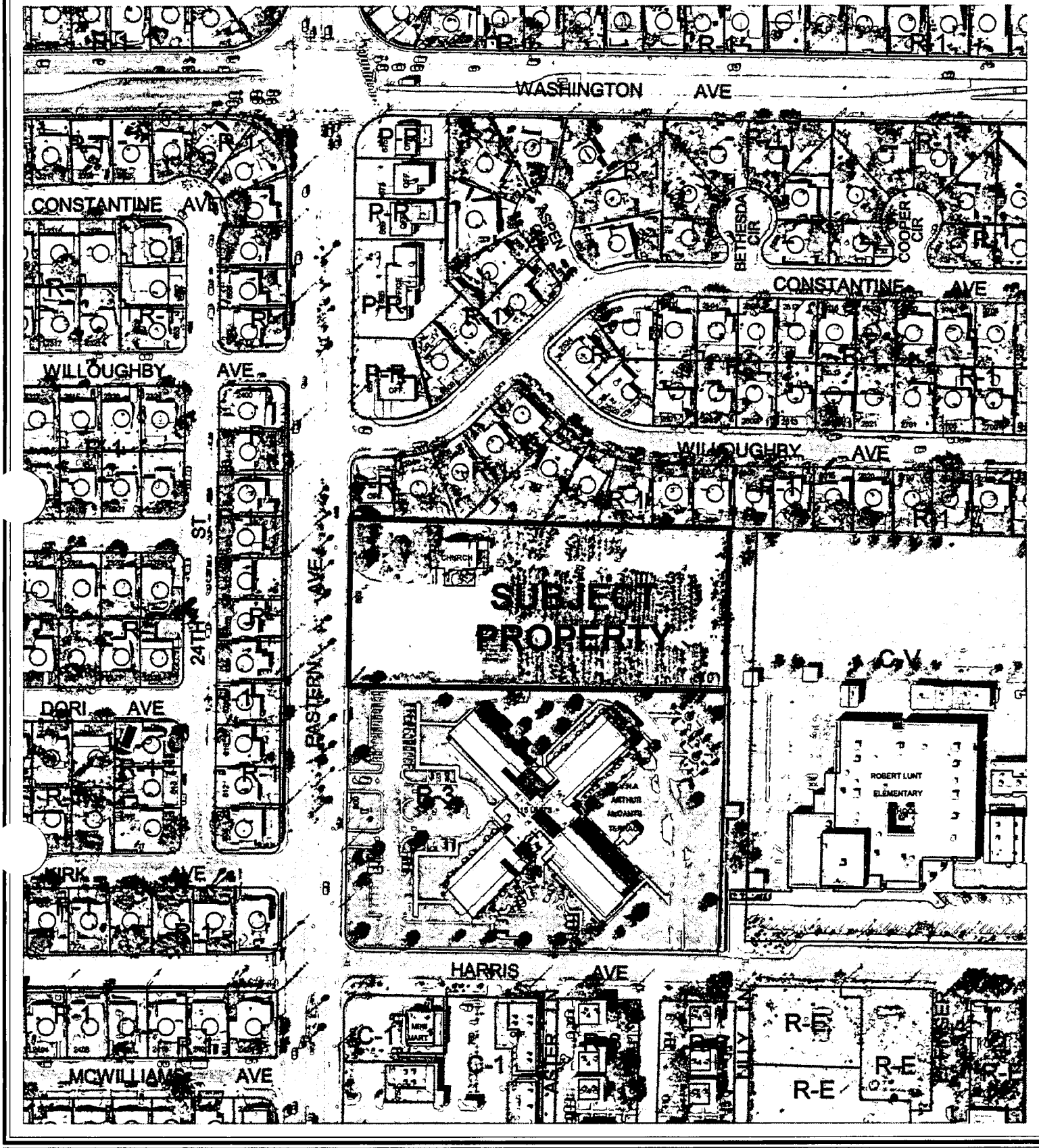


CASE: **EOT-4181**

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



CASE: **EOT-4181**

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-4181 - OWNER/APPLICANT: GOLDEN RULE, INC.

** CONDITIONS **

Staff recommends APPROVAL, Subject to:

Planning and Development

1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.

2. Conformance to the Conditions of Approval for Rezoning (Z-0092-01) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for an Extension of Time on an approved Rezoning (Z-0092-01) from R-E (Residence Estates) to R-3 (Medium Density Residential) on 2.99 acres at 832 North Eastern Avenue. The City Council will also consider an Extension of Time request (EOT-4191) for a related Site Development Plan Review [Z-0092-01(1)] for a Church and two ancillary buildings on the same site. The Resolution of Intent on the property would have expired April 17, 2004.

B) Applicant's Justification

Only recently has funding become available to submit drawings for building permits on Phase I of the site, which will consist of a pre-school. Additional time is requested to obtain building permits for Phase I and to complete drawings for Phase II, the multi-purpose center.

BACKGROUND INFORMATION

A) Previous Actions

02/28/63	The Board of Zoning Adjustment approved a Special Use Permit (U-0005-63) to allow a Church/House of Worship on the subject property.
04/26/90	The Board of Zoning Adjustment approved a Variance (V-0031-90) to allow the storage of live nursery plants for a commercial nursery on this site.
04/17/02	The City Council approved a Rezoning (Z-0092-01) from R-E (Residence Estates) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0092-01(1)] for a proposed 3,948 square foot daycare/preschool facility; a 14,000 square foot recreational facility; and a 5,594 square foot church building on the subject site. The Planning Commission recommended approval of both requests on 03/14/02. Staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	3.25
Net Acres:	2.99

B) Existing Land Use

Subject Property:	Church
North:	Professional Office, Single-Family Residential
South:	Senior Apartments
East:	Robert Lunt Elementary School
West:	Single-Family Residential

C) Planned Land Use

Subject Property:	M (Medium Density Residential)
North:	SC (Service Commercial) and L (Low Density Residential)
South:	M (Medium Density Residential)
East:	ROW (Right-of-Way) and PF (Public Facilities)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) under Resolution of Intent to R-3 (Medium Density Residential)
North:	P-R (Professional Office and Parking) and R-1 (Single-Family Residential)
South:	R-3 (Medium Density Residential)
East:	C-V (Civic)
West:	R-1 (Single-Family Residential)

E) General Plan Compliance

The subject site is currently designated M (Medium Density Residential) on the Southeast Sector Map of the General Plan. This land use designation allows residential densities of up to 25 units per acre. The approved rezoning to R-3 (Medium Density Residential) is consistent with the Medium Density Residential land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		
Las Vegas Redevelopment Plan Area	X	
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject property is located within the Las Vegas Redevelopment Plan Area. This parcel was added into the Plan by ordinance in 1996.

B) General Analysis and Discussion

A church building, multi-purpose building, and pre-school building were proposed in conjunction with the Rezoning request. A nursery storage business that had been operating on the site was required by condition of the Site Development Plan Review for the proposed church [Z-0092-01(1)] to be removed within one year of the City Council's approval. Currently, no business license exists for the nursery storage, and none of the landscape materials remain stored on the property. No building permits have been issued for the pre-school building, indicated to be the first phase of the proposed church project.

In its approval, the City Council found that the proposed R-3 (Medium Density Residential) zoning request was consistent with the R-3 (Medium Density Residential) zoning designation of the adjacent property to the south and the C-V (Civic) zoning to the east. The City Council also found the proposal to be compatible with the existing professional office and single-family residential uses to the north and west. The Rezoning remains consistent with the use and density classifications of the General Plan, as well as the pattern of development in the area.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The requested rezoning to R-3 (Medium Density Residential) is consistent with the M (Medium Density Residential) land use designation for the subject site as specified on the Southeast Sector of the General Plan. This land use designation allows up to 25 units per acre.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   Staff finds the multi-family land uses permitted on this property with the requested R-3 (Medium Density Residential) zoning will be compatible with the existing multi-family residential use to the south, the elementary school to the east, and the existing professional office and single-family dwellings located to the north and west.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

The proposed R-3 (Medium Density Residential) zone is consistent with the current General Plan designation of M (Medium Density Residential) on the site, and thereby meets the intent of the General Plan to designate undeveloped areas for appropriate future use categories.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

   Eastern Avenue, a fully-developed 100-foot wide Primary Street, will provide access to the property. It is of sufficient size to accommodate multi-family residential uses on the site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

EOT-4181

Case Number: Z-0092-01 APN: 139-25-301-001

Name of Property Owner: Golden Rule Incorporated

Name of Applicant: Golden Rule Incorporated

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Betty-Jeanne Cousins

Print Name: Betty-Jeanne Cousins

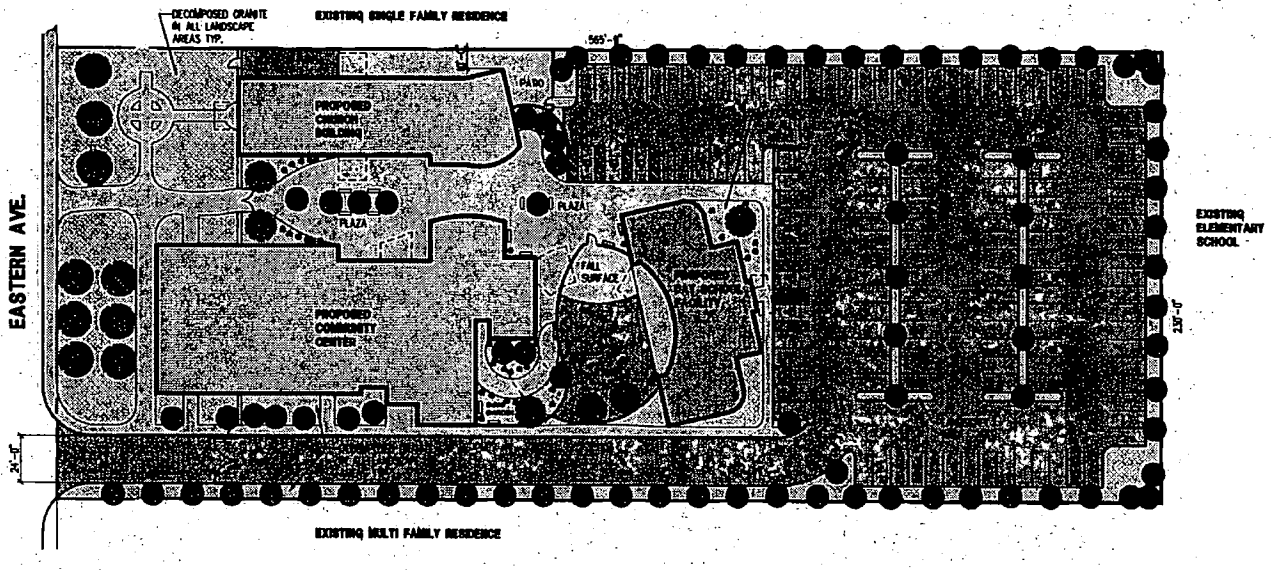
Subscribed and sworn before me

This 29th day of March, 2004

Helen E. Valade

Notary Public in and for said County and State

HELEN E. VALADE
Notary Public State of Nevada
No. 99-55726-1
My appt. exp. June 14, 2007



PLANTING LEGEND

SYMBOL COMMON/BOTANICAL NAME

- SWAN HILL FRUITLESS OLIVE
- CHILEAN MESQUITE
- DESERT MUSEUM PALO VERDE
- EXISTING TREES - PINE, ASH, CHASTE TREE
- 48 CHAPARRAL SAGE

* ALL TREES IN 24" BOX

LANDSCAPE PLAN

SCALE 1" = 30'-0"

NORTH

EOT-4181

5-5-04 CC

WELLES · PUGSLEY ARCHITECTS
2400 s. hughes avenue, suite 222 las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

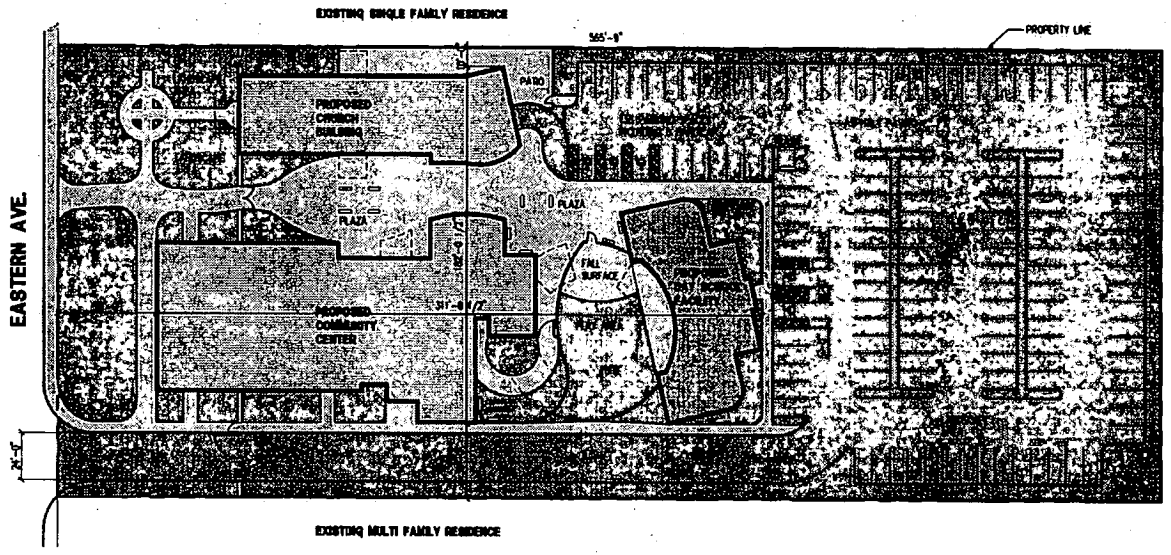
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LANDSCAPE PLAN

DRAWN BY:
SP

CHECKED BY:
WS
RJ

DATE:
12/14/03

SHEET NUMBER:
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PHASE 3 SITE PLAN

SCALE 1" = 30'-0"

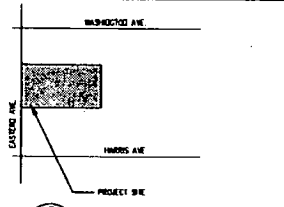
NORTH

EOT-4181

5-5-04 CC

PROJECT SUMMARY	
PARCEL AREA:	130,136 S.F. = 3.0 ACRES
BUILDING AREA:	ST. LUKE'S - 5,594 SQ. FT. PRE-SCHOOL - 3,948 SQ. FT. CENTER - 14,000 SQ. FT. TOTAL - 23,542
SITE COVERAGE:	23,542 S.F./ 130,136 S.F. = 18%
PARKING REQUIRED:	136 SPACES
PARKING PROVIDED:	158 SPACES (SPACES = 9'-0" W. x 19'-0" D. TYP.)
PARKING TO BLDG. RATIO:	158 : 23,542 S.F. = 1 SPACE : 173 S.F.

PROJECT VICINITY



VICINITY MAP
NO SCALE

NORTH

WELLES · PUGSLEY ARCHITECTS
2480 e. tropicana avenue, suite 222, las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

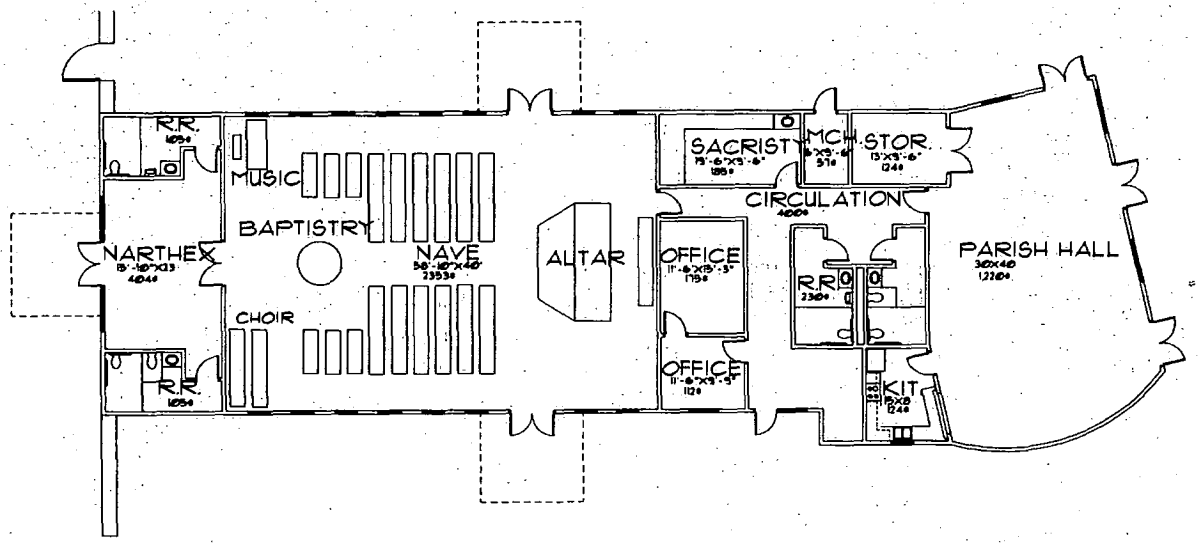
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SITE PLAN

DRAWN BY:
SP

CHECKED BY:
WP
AJ

DATE:
12/14/01

SHEET NUMBER:
AS1.01



FLOOR PLAN - CHURCH BUILDING

SCALE 1/8" = 1'-0"

EOT-4181

5-5-04 CC

WELLES-PUGSLEY ARCHITECTS
2480 e. tropicana avenue, suite 222, las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

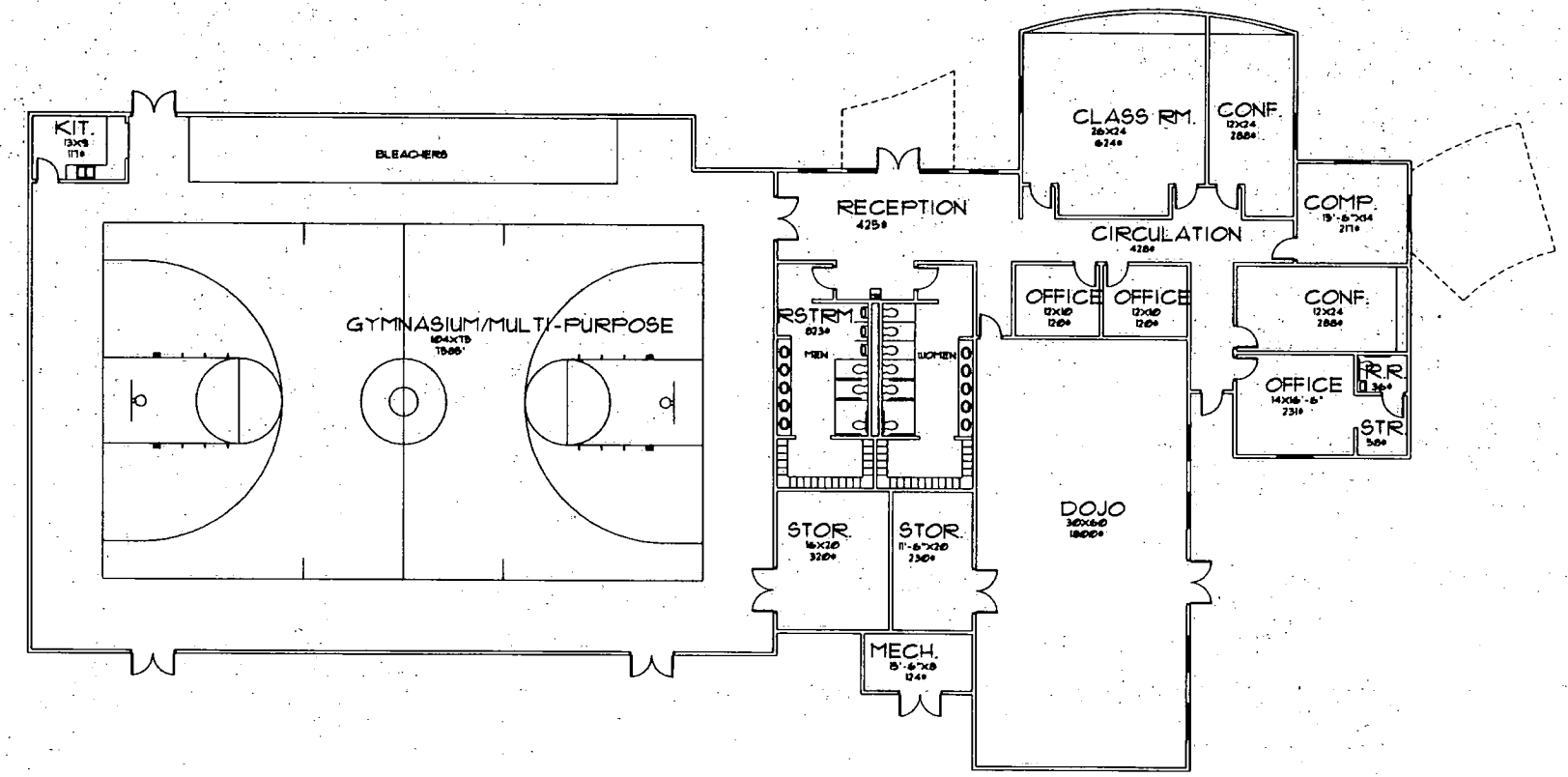
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FLOOR PLAN
CHURCH
BUILDING

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SP

CHECKED BY:
WS
AL

DATE:
12/14/01

SHEET NUMBER:
A1.01



FLOOR PLAN - COMMUNITY CENTER LEVEL 1

SCALE 1/8" = 1'-0"

EOT-4181

5-5-04 CC

WEEKES · PUGSLEY · ARCHITECTS
2030 e. flamingo avenue, suite 222, las vegas, nevada 89119
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@weekespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

SHEET TITLE:
FLOOR PLAN
COMMUNITY
CENTER
LEVEL 1

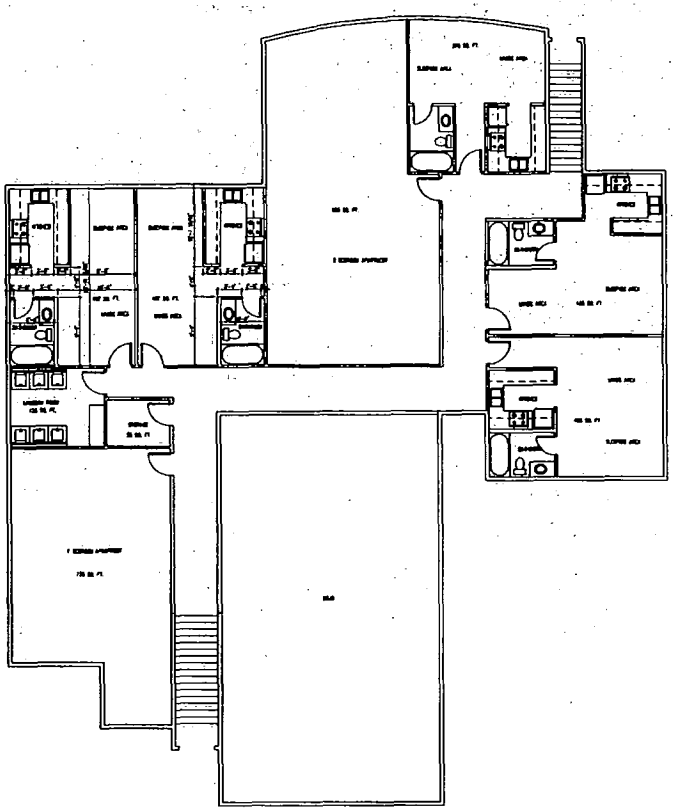
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DATE:
12/14/01

SHEET NUMBER:
A1.02

THE APARTMENT PORTION OF THIS PROJECT WAS DENIED IN THE PLAN REVIEW CONDITIONS.



FLOOR PLAN - COMMUNITY CENTER LEVEL 2

SCALE 1/8" = 1'-0"

EOT-4181

5-5-04 CC

WELLES PUGSLEY ARCHITECTS
2300 e. tropicana avenue, suite 222, las vegas, nevada 89119
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY.
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

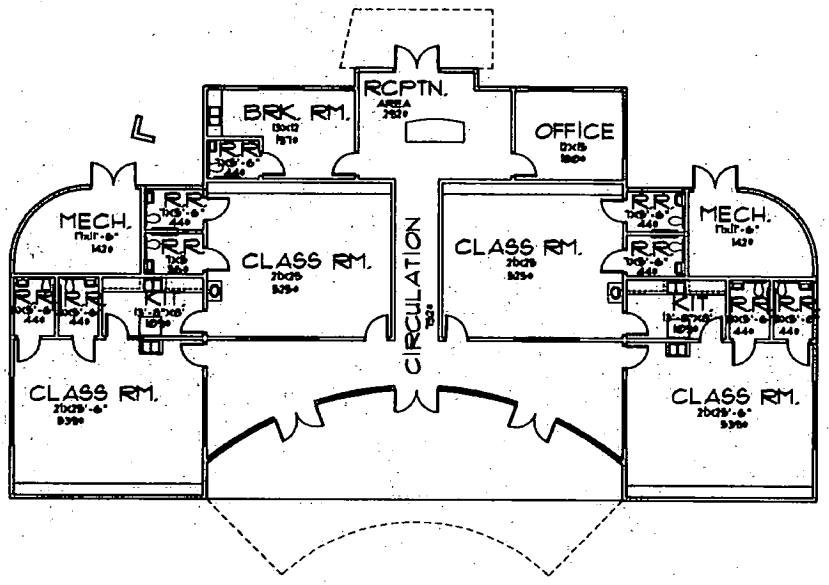
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COMMUNITY
CENTER
LEVEL 2

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SP

CHECKED BY:
WS
AL

DATE:
12/14/01

SHEET NUMBER:
A1.03



FLOOR PLAN - DAY SCHOOL FACILITY

SCALE 1/8" = 1'-0"

EOT-4181

5-5-04 CC

VELLES PUGSLEY ARCHITECTS
2400 s. hampton avenue, suite 222, las vegas, nevada 8918
ph: 702.435.1150 fax: 702.435.7699
e-mail: vpa@vellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
VP-0112

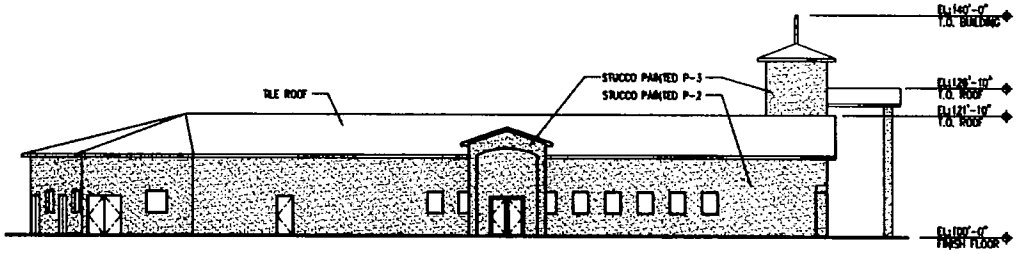
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DAY SCHOOL
FACILITY

DRAWN BY:
JP

CHECKED BY:
VP
AL

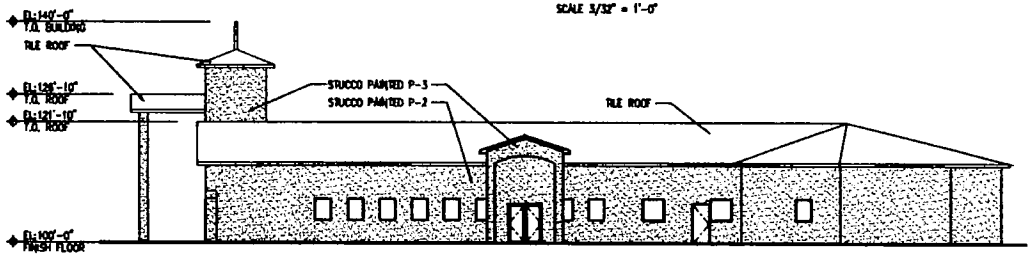
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12/14/01

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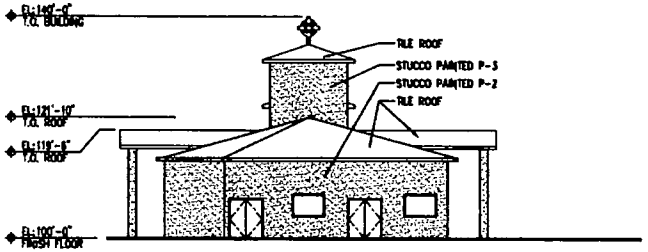
NORTH ELEVATION

SCALE 3/32" = 1'-0"



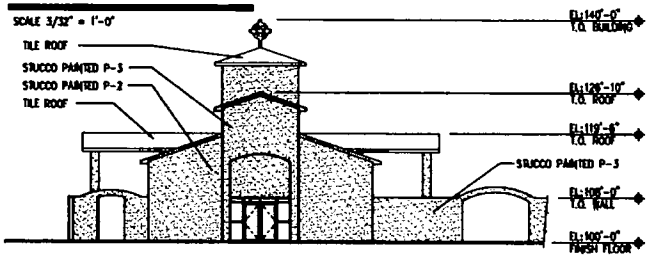
SOUTH ELEVATION

SCALE 3/32" = 1'-0"



EAST ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"

P-1:
SHERWIN WILLIAMS
"SASSAFRAS TEA" SW 2222
P-2:
SHERWIN WILLIAMS
"CUPOLA YELLOW" SW 2344
P-3:
SHERWIN WILLIAMS
"CYPRUS" SW 2320
P-4:
SHERWIN WILLIAMS
"LUXURIANT GOLD" SW 2334

EOT-4181
5-5-04 CC

WELLES · POGSLEY ARCHITECTS
2680 e. flamingo avenue, suite 222, las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespogsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

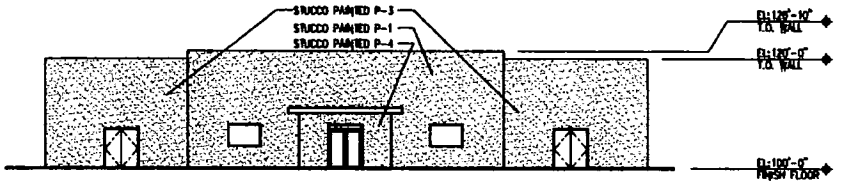
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EXTERIOR ELEVATIONS

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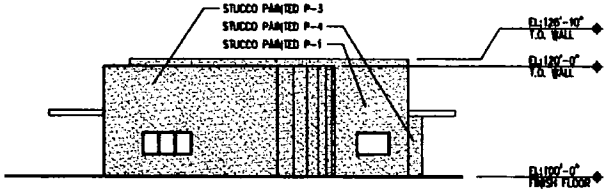
DATE:
12/14/01

SHEET NUMBER:
A6.01



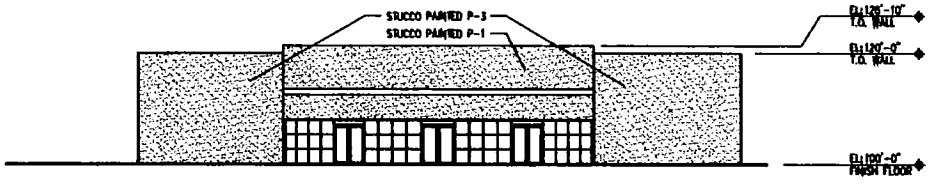
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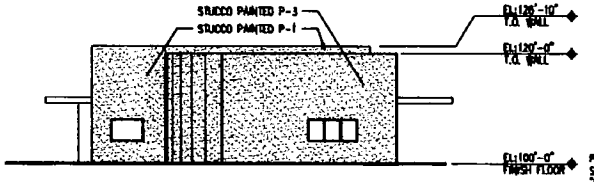
SOUTH ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"



NORTH ELEVATION

SCALE 3/32" = 1'-0"

P-1:
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"LUXURIANT GOLD" SW 2334

EOT-4181
5-5-04 CC

WELLES · PUGSLEY ARCHITECTS
2400 e. tropicana avenue, suite 222, las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

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LAS VEGAS, NEVADA

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EXTERIOR ELEVATIONS

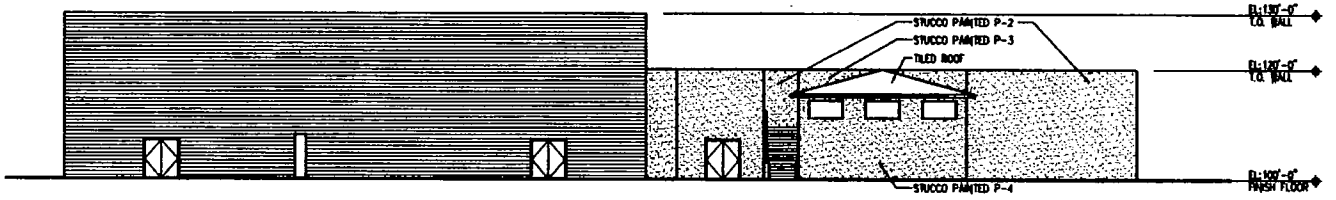
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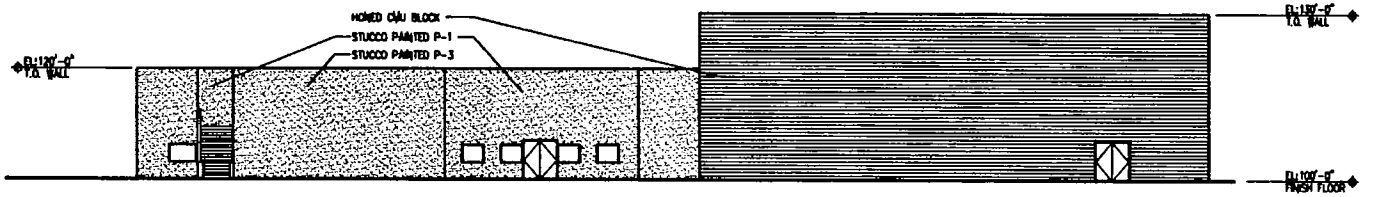
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P-2:
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"CUPOLA YELLOW" SW 2344
P-3:
SHERWIN WILLIAMS
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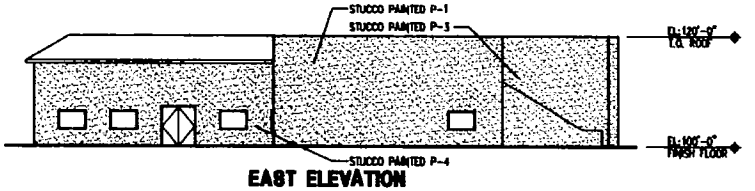
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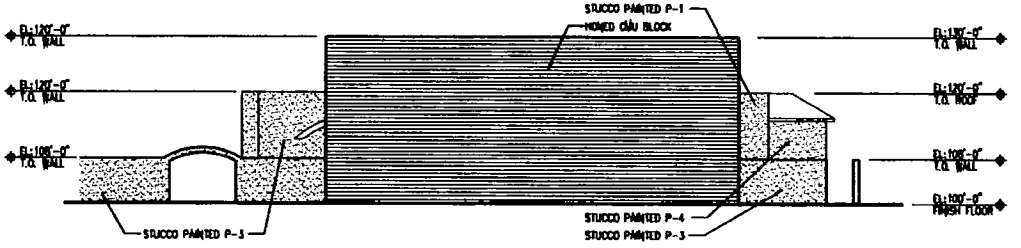
NORTH ELEVATION

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EAST ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"

EOT-4181

5-5-04 CC

WELLES · PUGSLEY ARCHITECTS
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ph: 702.435.3150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitects.com

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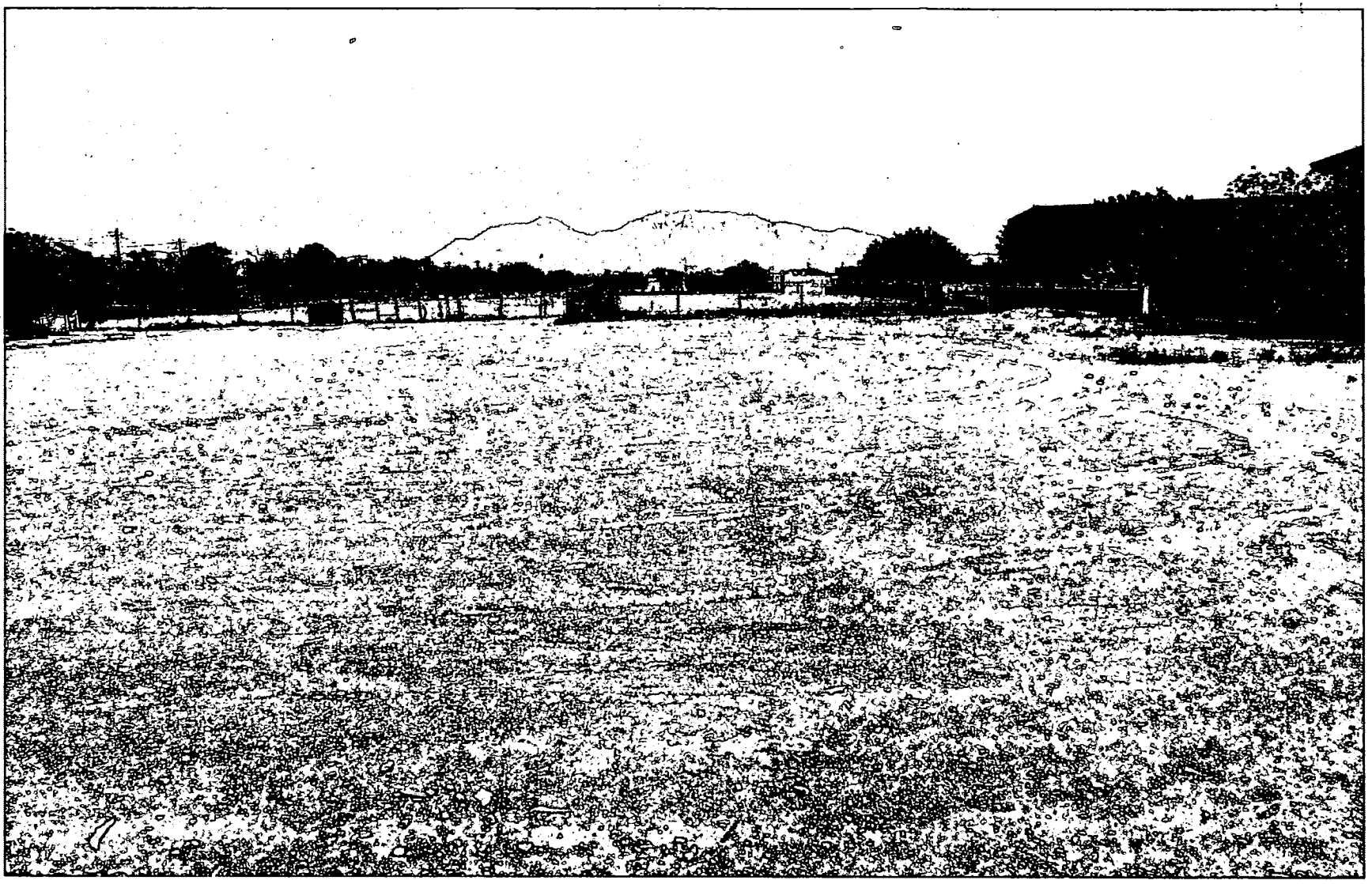
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EXTERIOR ELEVATIONS

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SP

CHECKED BY:
WS
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DATE:
12/14/01

SHEET NUMBER:
A6.03



EOT-4181 - APPLICANT/OWNER: GOLDEN RULE, INC.
832 North Eastern Avenue
MAY 5, 2004 CITY COUNCIL MEETING

Picture taken 04/07/04

City of Las Vegas

Agenda Item No. 82

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - **EOT-4191 - OWNER/APPLICANT: GOLDEN RULE, INC.** - Request for an Extension of Time on an approved Site Development Plan Review [Z-0092-01(1)] and a Reduction in the amount of Required Parking Lot Landscaping FOR A PROPOSED 3,948 SQUARE FOOT DAYCARE/PRESCHOOL FACILITY, A 14,000 SQUARE FOOT RECREATIONAL FACILITY, AND A 5,594 SQUARE FOOT CHURCH BUILDING on 2.99 acres at 832 North Eastern Avenue (APN: 139-25-301-001), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	**Planning Commission Mtg.**	0
City Council Meeting		**City Council Meeting**	

RECOMMENDATION:
Staff recommends APPROVAL.

THIS ITEM IS TO BE CONSIDERED ROUTINE IN NATURE.

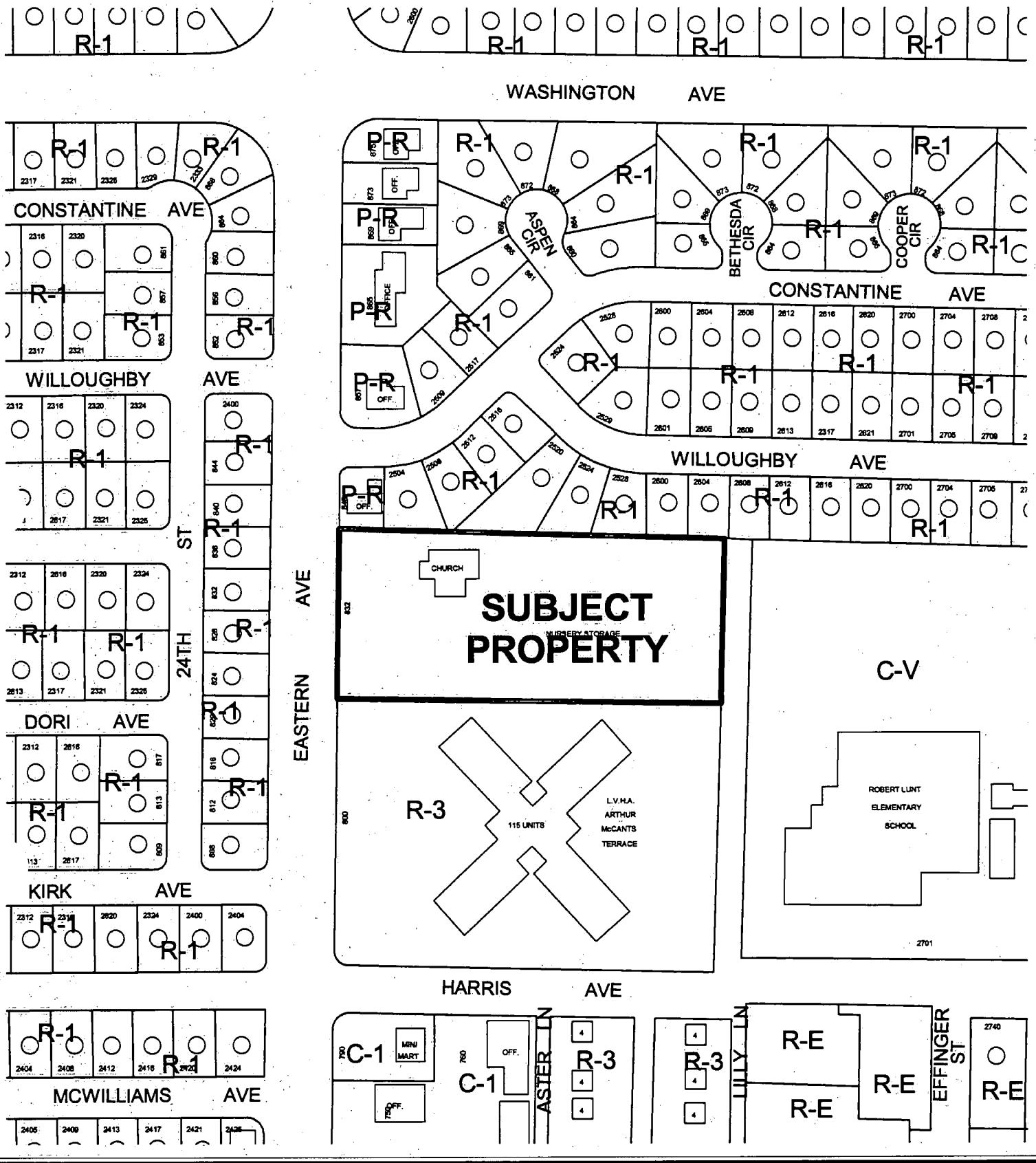
BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
BROWN – APPROVED Items 80 [EOT-4166], Item 81 [EOT-4181], and Item 82 [EOT-4191] subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
There was no discussion.

1:31)
4-257

CONDITIONS:
Planning and Development
1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0092-01(1)] as required by the Planning and Development Department and Department of Public Works.

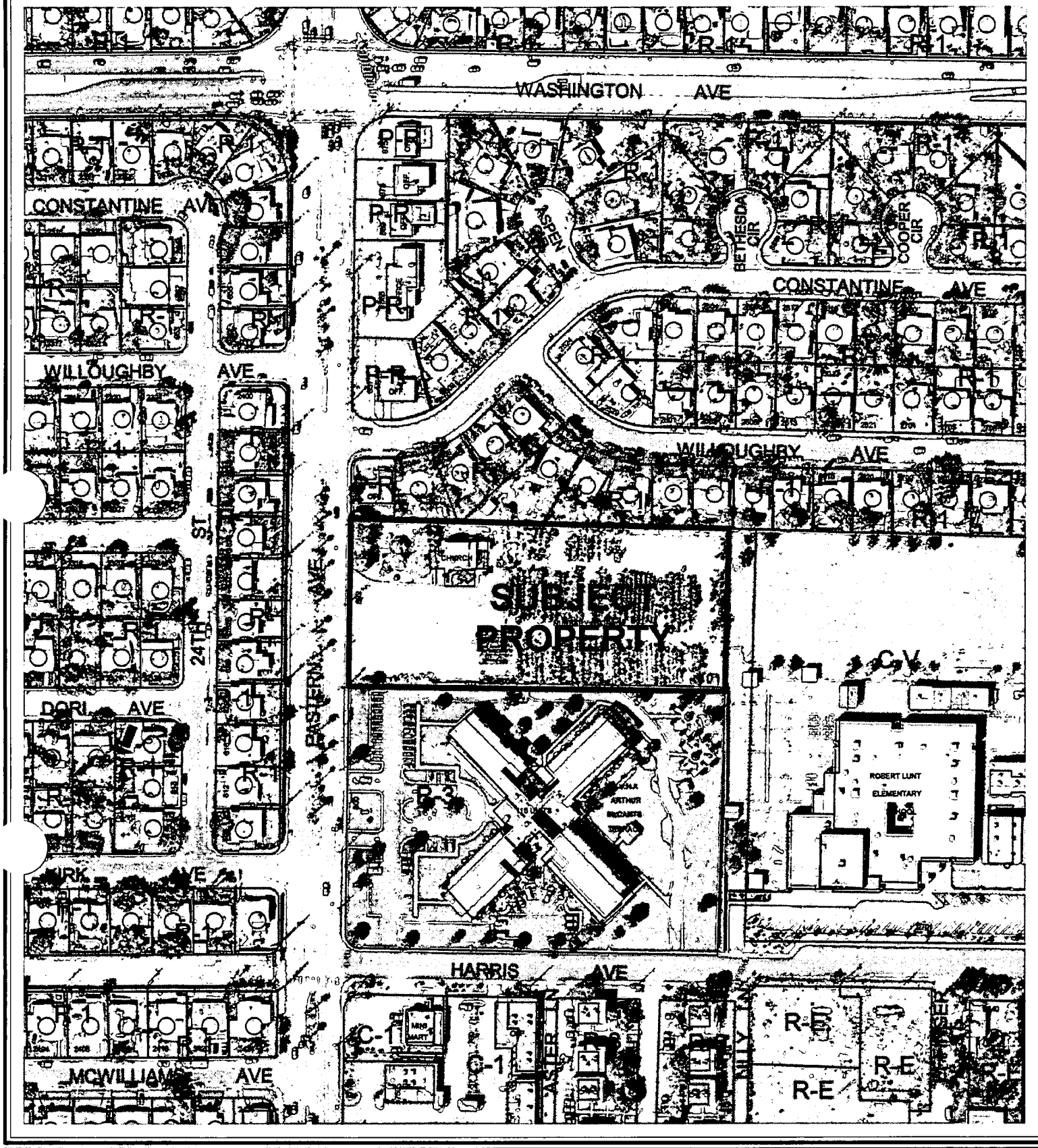


CASE: **EOT-4191**

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N



CASE: **EOT-4191**

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-4191 - OWNER/APPLICANT: GOLDEN RULE, INC.

** CONDITIONS **

Staff recommends APPROVAL, Subject to:

Planning and Development

1. This Extension of Time will expire on April 17, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0092-01(1)] as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for an Extension of Time on an approved Site Development Plan Review [Z-0092-01(1)] and a Reduction in the amount of Required Parking Lot Landscaping for a proposed 3,948 square foot daycare/pre-school facility, a 14,000 square foot recreational facility, and a 5,594 square foot church building on 2.99 acres at 832 North Eastern Avenue. The City Council will also consider an Extension of Time request (EOT-4181) for a related Rezoning (Z-0092-01) from R-E (Residence Estates) to R-3 (Medium Density Residential) on the same site. The Site Development Plan Review would have expired April 17, 2004.

B) Applicant's Justification

Only recently has funding become available to submit drawings for building permits on Phase I of the site, which will consist of a pre-school. Additional time is requested to obtain building permits for Phase I and to complete drawings for Phase II, the multi-purpose center.

BACKGROUND INFORMATION

A) Previous Actions

02/28/63 The Board of Zoning Adjustment approved a Special Use Permit (U-0005-63) to allow a Church/House of Worship on the subject property.

04/26/90 The Board of Zoning Adjustment approved a Variance (V-0031-90) to allow the storage of live nursery plants for a commercial nursery on this site.

04/17/02 The City Council approved a Rezoning (Z-0092-01) from R-E (Residence Estates) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0092-01(1)] for a proposed 3,948 square foot daycare/preschool facility; a 14,000 square foot recreational facility; and a 5,594 square foot church building on the subject site. The Planning Commission recommended approval of both requests on 03/14/02. Staff recommended approval.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.25
Net Acres: 2.99

B) Existing Land Use

Subject Property: Church
North: Professional Office, Single-Family Residential
South: Senior Apartments
East: Robert Lunt Elementary School
West: Single-Family Residential

C) Planned Land Use

Subject Property: M (Medium Density Residential)
North: SC (Service Commercial) and L (Low Density Residential)
South: M (Medium Density Residential)
East: ROW (Right-of-Way) and PF (Public Facilities)
West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to R-3 (Medium Density Residential)
North: P-R (Professional Office and Parking) and R-1 (Single-Family Residential)
South: R-3 (Medium Density Residential)
East: C-V (Civic)
West: R-1 (Single-Family Residential)

E) General Plan Compliance

The subject site is currently designated M (Medium Density Residential) on the Southeast Sector Map of the General Plan. This land use designation allows residential densities of up to 25 units per acre. The approved rezoning to R-3 (Medium Density Residential) is consistent with the Medium Density Residential land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		
Las Vegas Redevelopment Plan Area	X	
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject property is located within the Las Vegas Redevelopment Plan Area. This parcel was added into the Plan by ordinance in 1996.

PROJECT DESCRIPTION

The site is currently developed with an existing church. An outdoor nursery storage area had also occupied the site, but has since been removed. The site is proposed to be redeveloped in three phases. The first phase will include the construction of a 3,948 square foot daycare/preschool facility in the center of the site, comprising four classrooms. The second phase, located in the southwest corner of the site, will include the construction of a single-story 14,000 square foot community center with a gymnasium/multi-purpose facility. (Plans for seven apartments totaling 5,440 square feet to be located above the community center were abandoned prior to City Council approval of the site plan.) The third phase will include demolition of the existing church building and construction of a new 5,594 square foot church building in the northern portion of the site.

Access to the site will be from a gated 24-foot wide drive from Eastern Avenue. Parking will be provided in a new lot to be constructed behind the proposed buildings in the eastern portion of the site. A landscape planter with a minimum width of 50 feet is shown along the Eastern Avenue property line, with minimum eight-foot wide planters along the north, south and east property lines. Planters are also shown in the parking lot. Four different varieties of 24-inch box trees are shown in the landscape areas.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 SF	2.99 acres	Y
Min. Lot Width	N/A	230 Feet	N/A
Min. Setbacks			
• Front	20 Feet	50 Feet	Y
• Side	5 Feet	10 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	20 Feet	203 Feet	Y
Max. Lot Coverage	N/A	18 %	N/A
Max. Building Height	2 Stories / 35 Feet	33 Feet	Y
Trash Enclosure	Walled, gated	Walled, gated	Y

The development meets zoning code requirements for the R-3 (Medium Density Residential) zoning district. It is noted that the church structure has a steeple feature that extends 40 feet from the finish floor height. The feature itself is not calculated as part of the building height.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060.A.3, property located within the boundaries of the Las Vegas Redevelopment Area, such as this site, is exempt from the application of the Residential Adjacency Standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

The Site Development Plan Review for the proposed church development required 101 parking spaces, which included those required to accommodate seven apartments above the community center. After the apartments were removed from the plan, the total number of required spaces was reduced to 90. The site plans show that 136 spaces have been provided; however, the civil plans that have been submitted show 120 spaces provided in a slightly different configuration. The parking provided would still be in substantial compliance with the approved site plans.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	**Required**		**Provided**
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	23 Trees	13 Trees
Buffer: • Min. Trees (ROW)	1 Tree/20 Linear Feet	9 Trees	9 Trees
• Min. Trees (Sides)	1 Tree/20 Linear Feet	43 Trees	44 Trees
• Min. Trees (Rear)	1 Tree/30 Linear Feet	8 Trees	12 Trees
• Min. Zone Width (ROW)	15 Feet		40 Feet
• Min. Zone Width (Sides/Rear)	8 Feet		8 Feet
• Wall height	Max. 6 feet, except north property line, minimum 6 feet		Not shown

The number of trees within the parking areas is based on the 136 parking spaces shown on the approved site plan. The applicant requested a reduction in the number of trees, which was approved based on the additional trees proposed within perimeter buffer planters. The other landscaping requirements have been met.

A5) Sign Standards

Signage was not submitted with the application materials, but any proposed signage must conform to the standards contained in Title 19.14.060 for the R-3 zoning district.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned R-E (Residence Estates) and is under a Resolution of Intent to R-3 (Medium Density Residential). The applicant has requested an Extension of Time on this approved Rezoning. The R-3 (Medium Density Residential) zoning district remains consistent with the use and density classifications of the General Plan, as well as the pattern of development in the area.

- Site Plan

The site plan presents an orderly arrangement of buildings in all three phases, with parking to the rear of the site. The trash enclosure is 50 feet from residential property lines to the north and is in an appropriate location for refuse pickup.

- Waivers

Staff recommended approval of the request for a reduction in the amount of parking lot landscaping, stating that the additional trees provided in the perimeter buffer planters compensated for the deficiency in the number of trees in the parking area.

- Landscape Plan

The provided perimeter landscaping complies with Landscape, Wall and Buffer Standards for commercial projects. It is noted that the proposed landscaping material is consistent with the substantial landscaping the City has placed within the Eastern Avenue median adjacent to this site.

In regard to the parking lot landscaping, the submitted plan indicates a reduction in the amount of parking lot trees required by the Landscape, Wall and Buffer Standards. In the original approval, Staff recommended approval of the landscaping plan as submitted, stating that the additional trees provided in the perimeter buffer planters compensated for the deficiency in the number of trees in the parking area.

- Elevation

The articulated exteriors shown on all three structures are aesthetically attractive. Stucco and split face concrete blocks are appropriate materials for the area. The elevations are therefore consistent with Commercial Design Standards that emphasize that building exteriors provide visual interest and utilize materials and colors that are compatible with the surrounding development and with the desert environment.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

   The proposed development will be compatible with the existing school to the east and will provide a buffer between the more intensive existing apartment development to the south and the single family residential to the north.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   The development plan is consistent with Title 19, the Design Standards Manual, the Landscape, Wall and Buffer standards, with the exception of the parking lot landscaping. Staff recommends approval of a reduction in the amount of parking lot landscaping because the applicant has provided additional trees in the property line planters as compensation.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

   Eastern Avenue, a fully-developed 100-foot wide Primary Street, will provide access to the property. It is of sufficient size to accommodate the proposed church, child care center, and multi-purpose building.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

   The proposed development will implement building and landscape materials appropriate to the City and in compliance with the Urban Design Guidelines and Standards.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

   The proposed building exteriors will provide visual interest and utilize materials and colors that are compatible with the surrounding development and with the desert environment. The proposed landscaping will adequately buffer adjacent land uses.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to the Uniform Building Code and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-4191 ~~Z-0092-01 (1)~~ APN: 139-25-301-001

Name of Property Owner: Golden Rule Inc.

Name of Applicant: Golden Rule Inc.

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes __x____No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Betty Jeanne Lewis

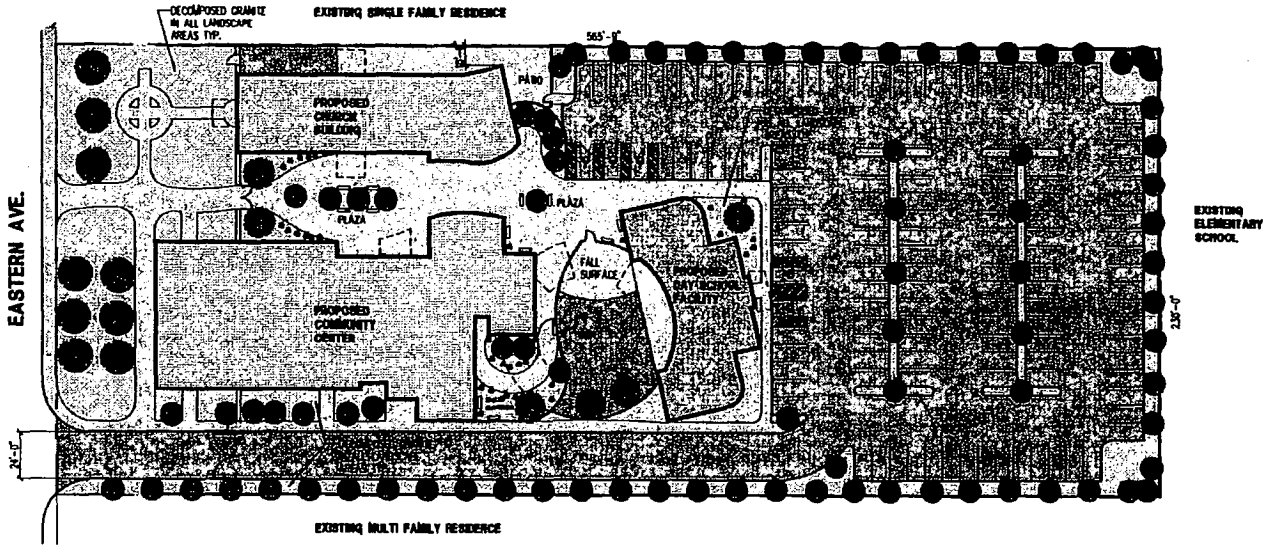
Subscribed and sworn before me

This 29th day of March, 2004

Helen E. Valade

Notary Public in and for said County and State

HELEN E. VALADE
Notary Public State of Nevada
No. 99-55726-1
My appt. exp. June 14, 2007



PLANTING LEGEND

SYMBOL	COMMON/BOTANICAL NAME
	SWAN HILL FRUITLESS OLIVE
	CHILEAN MESQUITE
	DESERT MUSEUM PALO VERDE
	EXISTING TREES - PINE, ASH, CHASTE TREE
	CHAPARRAL SAGE

* ALL TREES IN 24" BOX

LANDSCAPE PLAN

SCALE 1" = 30'-0"

NORTH

EOT-4191

5-5-04 CC

WELLES - PUGSLEY, ARCHITECTS
2480 e. tropicana avenue, suite 222, las vegas, nevada 89121
ph: 702.435.1150 fax: 702.435.7699
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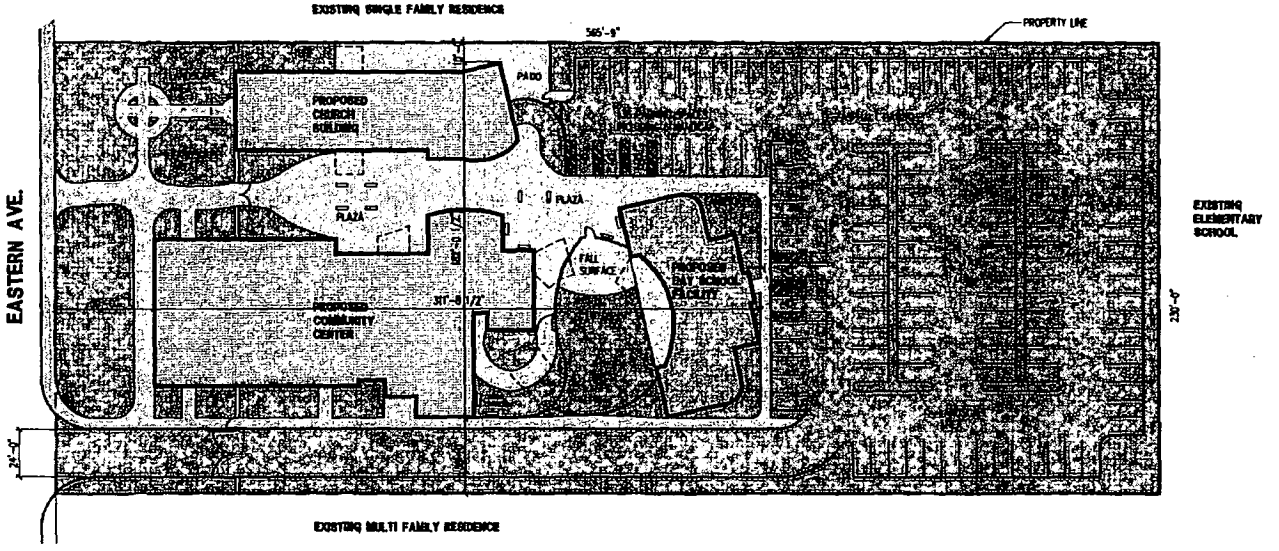
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LANDSCAPE PLAN

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CHECKED BY:
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DATE:
12/14/01

SHEET NUMBER:
L1.01



PHASE 3 SITE PLAN

SCALE 1" = 30'-0"

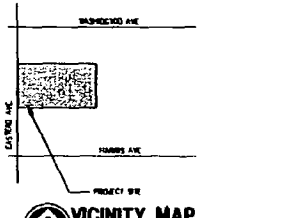
NORTH

EOT-4191

5-5-04 CC

PROJECT SUMMARY	
PARCEL AREA:	130,136 S.F. = 3.0 ACRES
BUILDING AREA:	ST. LUKE'S - 5,594 SQ. FT. PRE-SCHOOL - 3,848 SQ. FT. CENTER - 14,000 SQ. FT. TOTAL - 23,542
SITE COVERAGE:	23,542 S.F./ 130,136 S.F. = 18%
PARKING REQUIRED:	138 SPACES
PARKING PROVIDED:	138 SPACES (SPACES = 9'-0" W. x 18'-0" D. TYP.)
PARKING TO BLDG. RATIO:	138 : 23,542 S.F. = 1 SPACE : 173 S.F.

PROJECT VICINITY



VICINITY MAP

NO SCALE

NORTH

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2620 s. maryland parkway, suite 222, las vegas, nevada 89109
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e-mail: wpa@wellespogsleyarchitect.com

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REVISIONS:

PROJECT NAME:

CENTER FOR COMMUNITY

LAS VEGAS, NEVADA

PROJECT NUMBER:

WP-0112

SHEET TITLE:

SITE PLAN

DRAWN BY:

SP

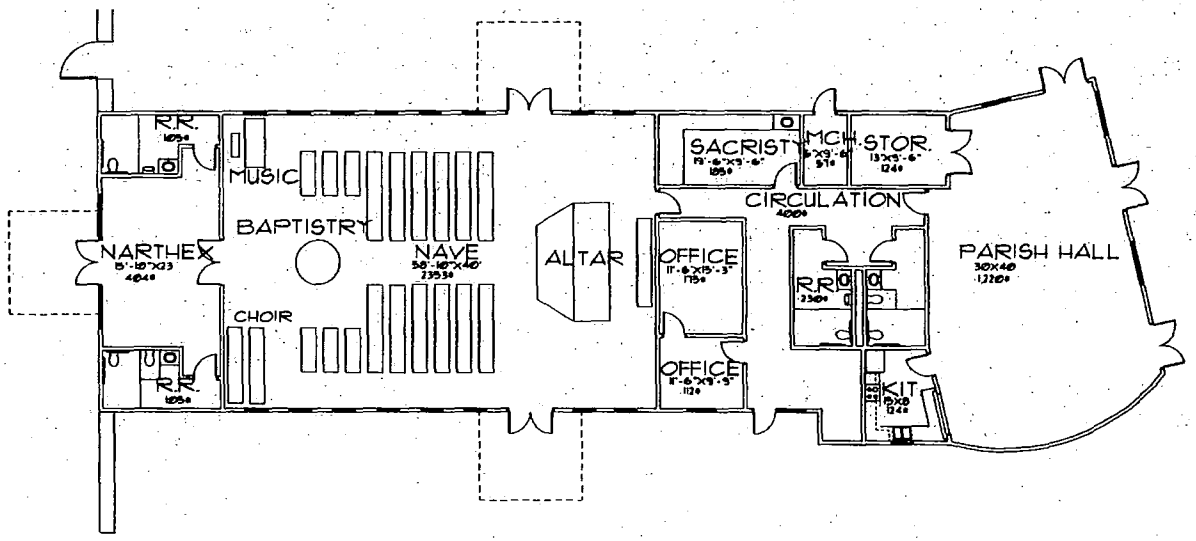
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DATE:

12/14/01

SHEET NUMBER:

AS1.01



FLOOR PLAN - CHURCH BUILDING

SCALE 1/8" = 1'-0"

EOT-4191

5-5-04 CC

WELLES PUGSLEY ARCHITECTS
2480 e. tropicana avenue, suite 222, las vegas, nevada 89119
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

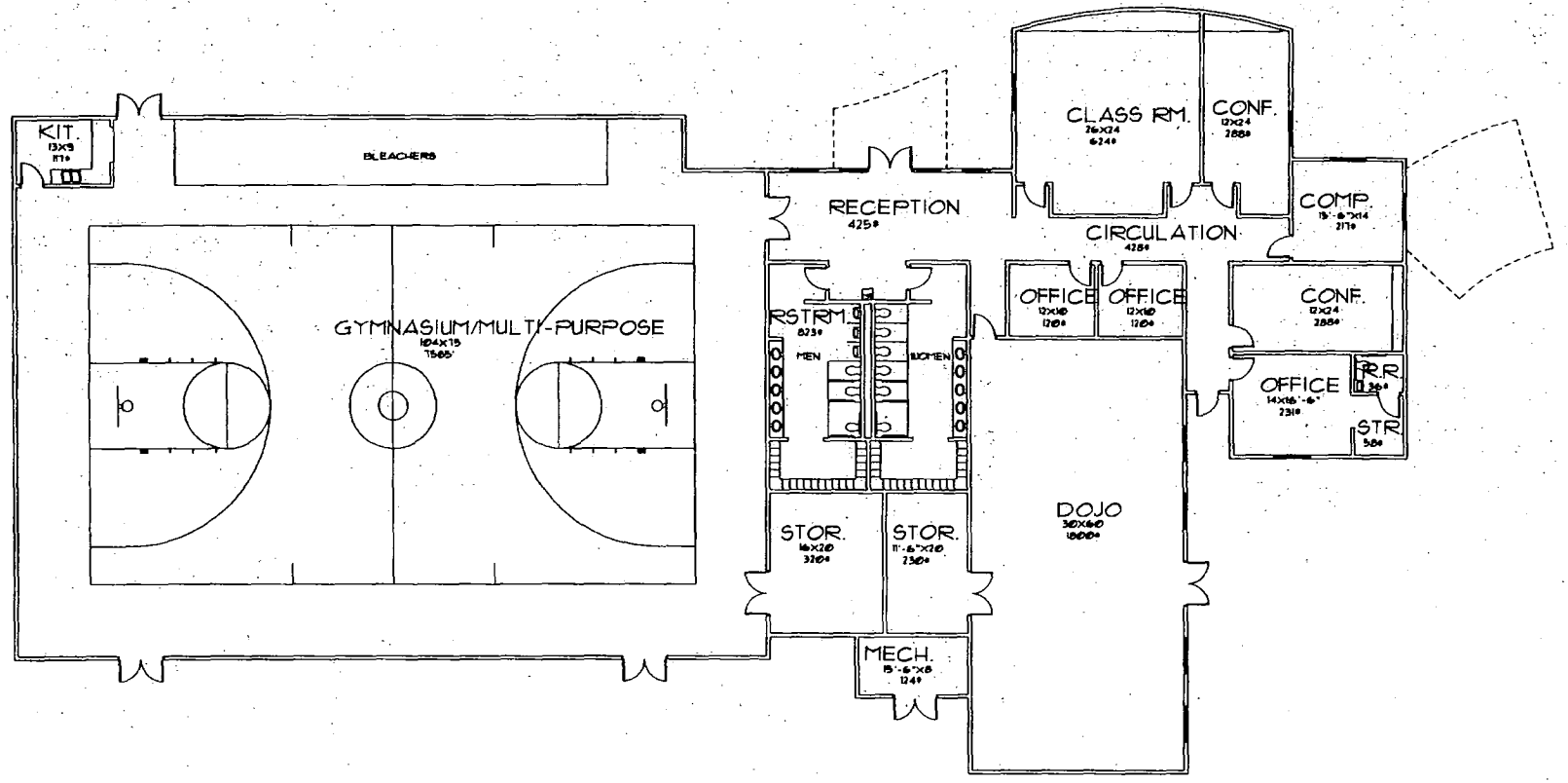
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CHURCH
BUILDING

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SP

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DATE:
12/14/01

SHEET NUMBER:
A1.01



FLOOR PLAN - COMMUNITY CENTER LEVEL 1

SCALE 1/8" = 1'-0"

EOT-4191

5-5-04 CC

WELLES PUGSLEY ARCHITECTS
2488 e. hacienda avenue, suite 222, las vegas, nevada 89120
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e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

SHEET TITLE:
FLOOR PLAN
COMMUNITY
CENTER
LEVEL 1

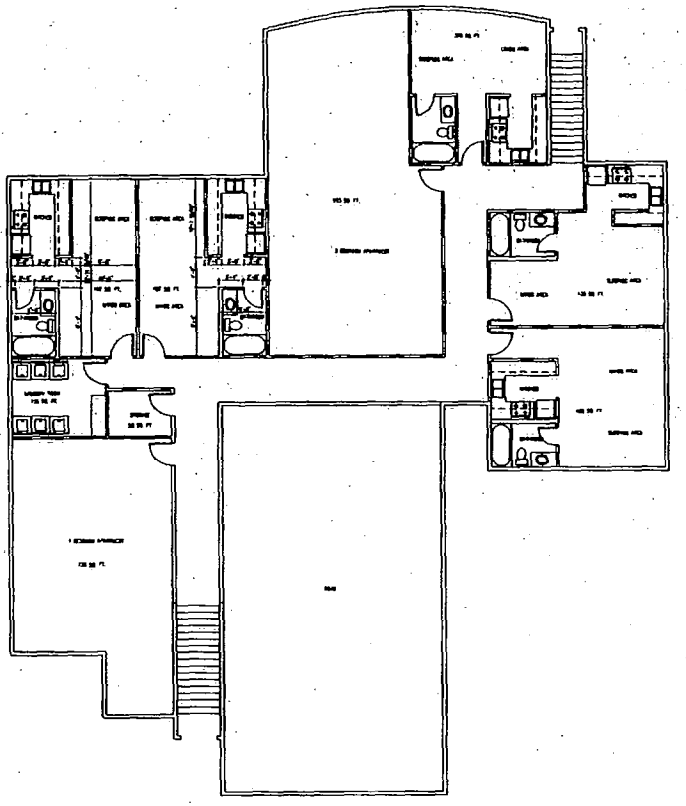
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SP

CHECKED BY:
WS
AE

DATE:
12/14/01

SHEET NUMBER:
A1.02

THE APARTMENT PORTION OF THIS PROJECT WAS DENIED IN THE PLAN REVIEW CONDITIONS.



FLOOR PLAN - COMMUNITY CENTER LEVEL 2

SCALE 1/8" = 1'-0"

EOT-4191

5-5-04 CC

WELLES PUGSLEY ARCHITECTS
2300 e. tropicana avenue, suite 222, las vegas, nevada 89119
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

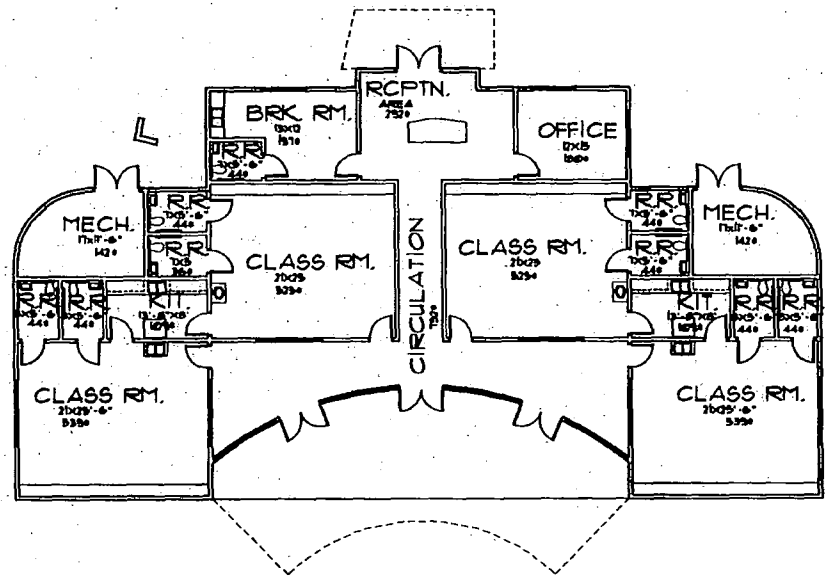
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FLOOR PLAN
COMMUNITY
CENTER
LEVEL 2

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SP

CHECKED BY:
WS
AL

DATE:
12/14/01

SHEET NUMBER:
A1.03



FLOOR PLAN - DAY SCHOOL FACILITY

SCALE 1/8" = 1'-0"

EOT-4191

5-5-04 CC

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2920 s. hampton avenue, suite 222, las vegas, nevada 89109
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e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

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CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

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WP-0112

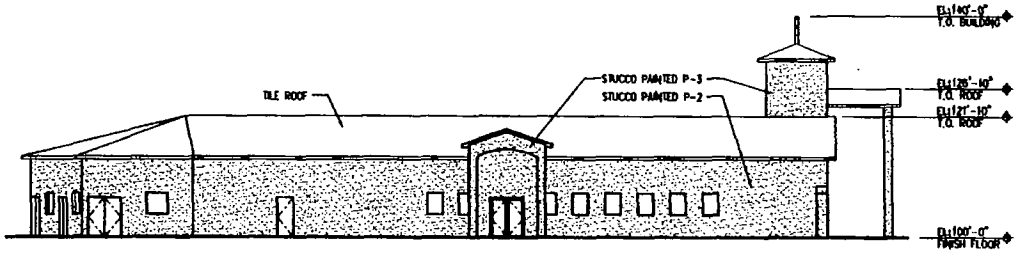
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FLOOR PLAN
DAY SCHOOL
FACILITY

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JP

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WS
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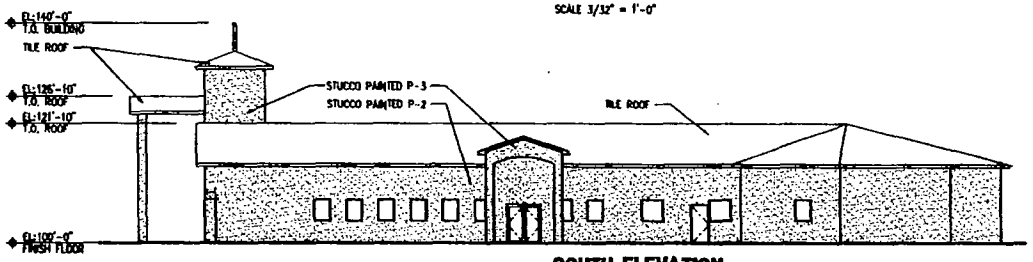
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12/14/01

SHEET NUMBER:
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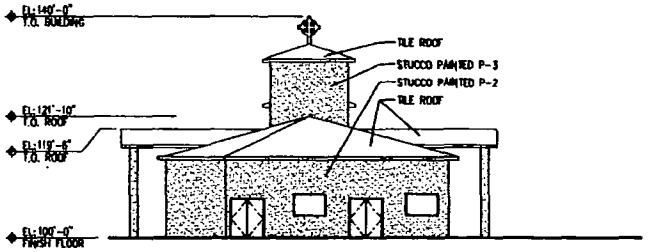
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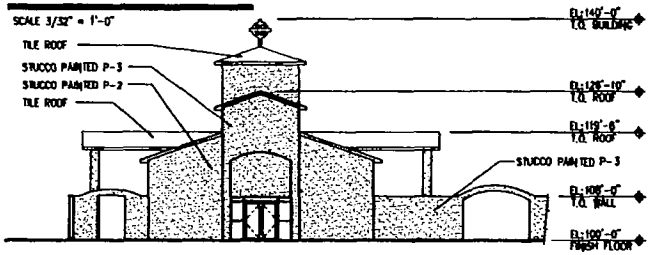
SOUTH ELEVATION

SCALE 3/32" = 1'-0"



EAST ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"

P-1:
SHERWIN WILLIAMS
"SASSAFRAS TEA" SW 2222
P-2:
SHERWIN WILLIAMS
"CUPOLA YELLOW" SW 2344
P-3:
SHERWIN WILLIAMS
"KYPROS" SW 2320
P-4:
SHERWIN WILLIAMS
"LUXURIANT GOLD" SW 2354

EOT-4191

5-5-04 CC

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2480 e. hacienda avenue, suite 222, las vegas, nevada 89119
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e-mail: wparch@wellespugsleyarchitect.com

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CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

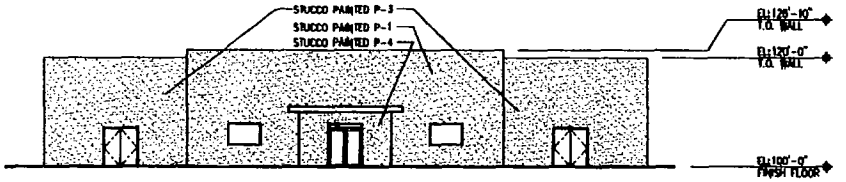
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EXTERIOR ELEVATIONS

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CHECKED BY:
WS
AL

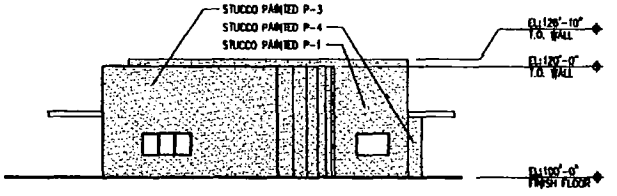
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12/14/01

SHEET NUMBER:
A6.01



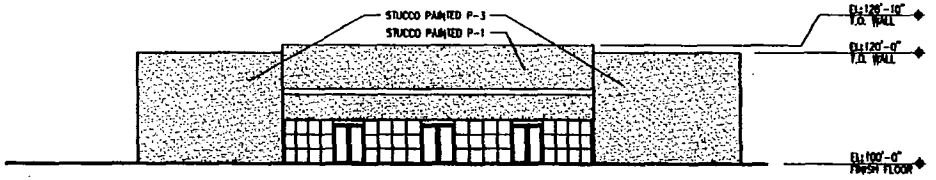
EAST ELEVATION

SCALE 3/32" = 1'-0"



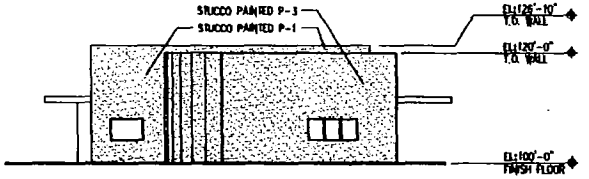
SOUTH ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"



NORTH ELEVATION

SCALE 3/32" = 1'-0"

P-1:
SHERWIN WILLIAMS
"SASSAFRAS TEA" SW 2222
P-2:
SHERWIN WILLIAMS
"CUPOLA YELLOW" SW 2344
P-3:
SHERWIN WILLIAMS
"KYPROS" SW 2320
P-4:
SHERWIN WILLIAMS
"LUXURIANT GOLD" SW 2334

EOT-4191
5-5-04 CC

WELLES PUGSLEY ARCHITECTS
2030 e. flamingo avenue, suite 222, las vegas, nevada 89119
ph: 702.435.1150 fax: 702.435.7699
e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

SHEET TITLE:
EXTERIOR ELEVATIONS

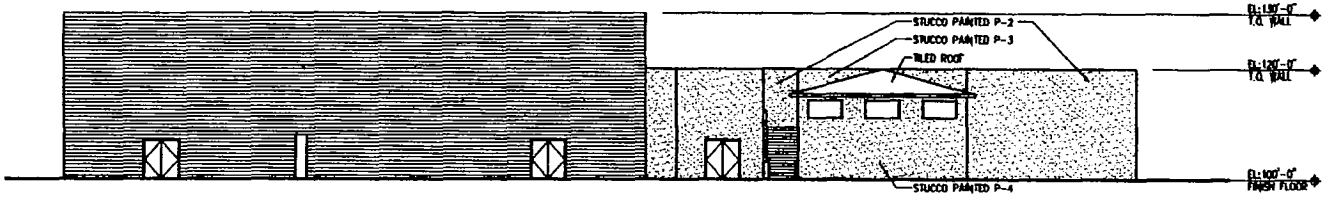
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DATE:
12/14/01

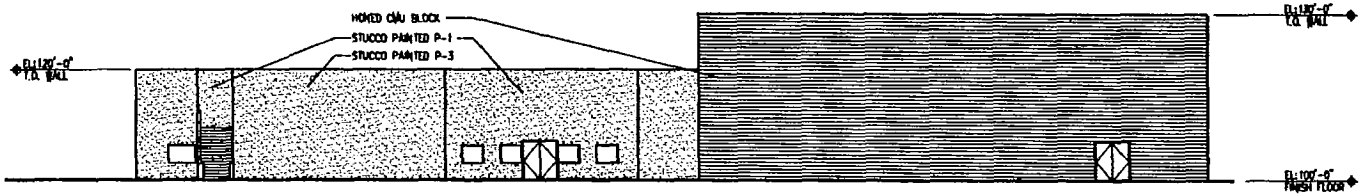
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P-3:
SHERWIN WILLIAMS
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P-4:
SHERWIN WILLIAMS
"LUXURIANT GOLD" SW 2334



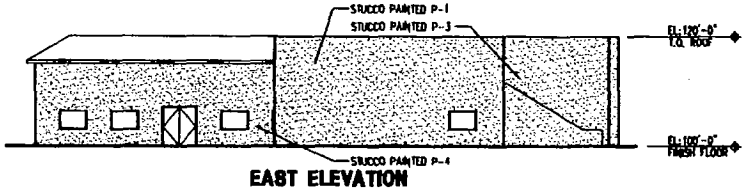
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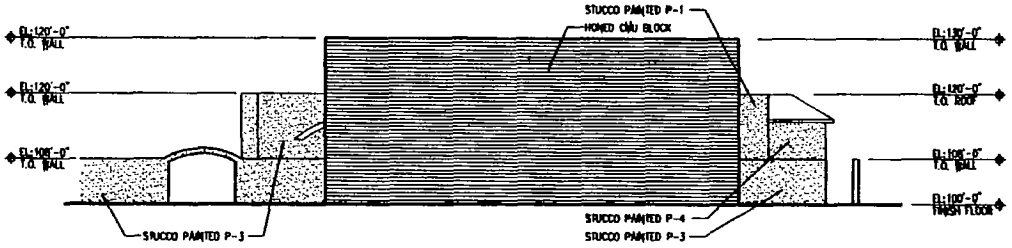
NORTH ELEVATION

SCALE 3/32" = 1'-0"



EAST ELEVATION

SCALE 3/32" = 1'-0"



WEST ELEVATION

SCALE 3/32" = 1'-0"

EOT-4191
5-5-04 CC

WELLES · PUGSLEY ARCHITECTS
2020 e. flamingo avenue, suite 222, las vegas, nevada 89119
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e-mail: wpa@wellespugsleyarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
CENTER FOR COMMUNITY
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0112

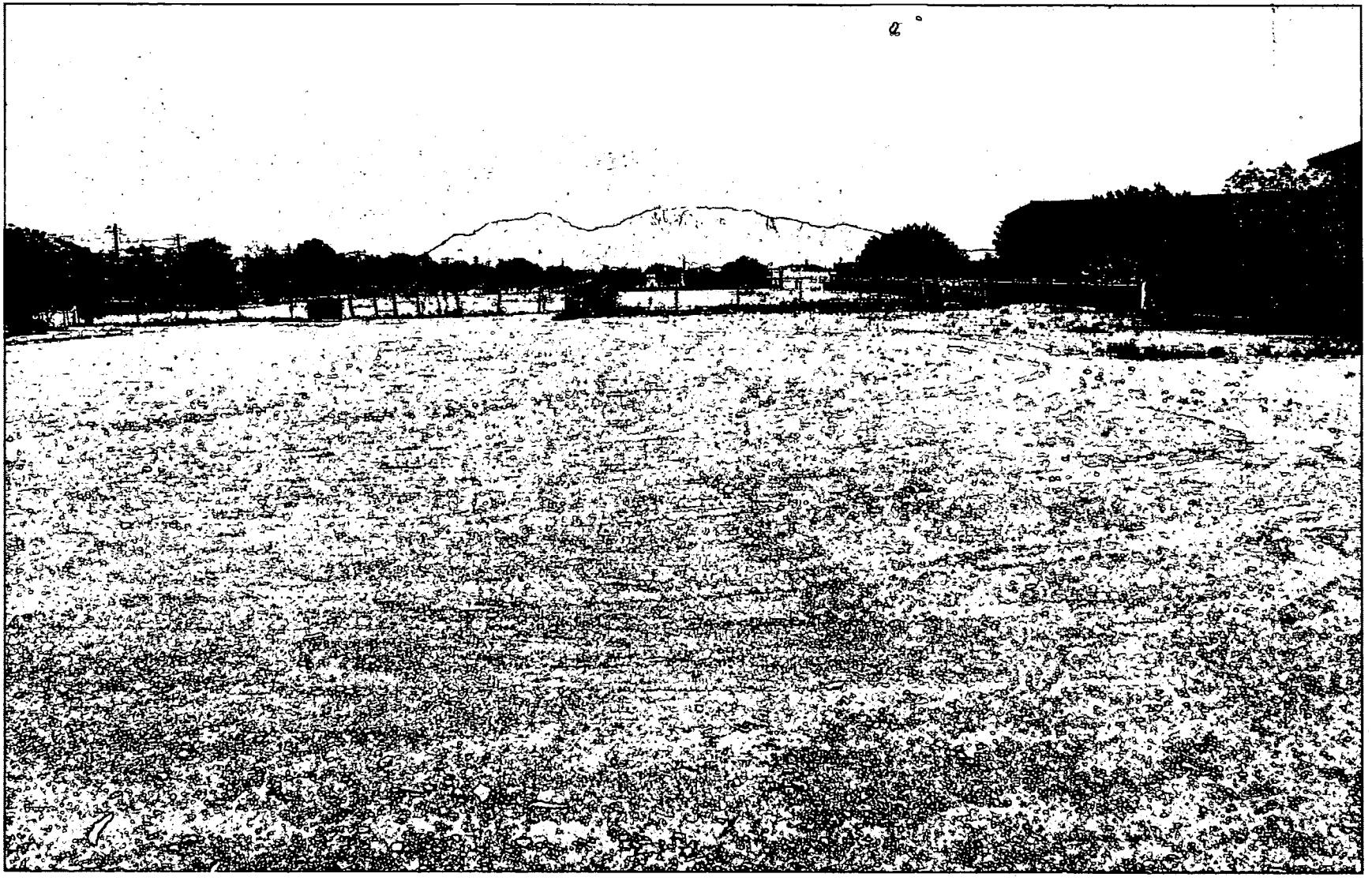
SHEET TITLE:
EXTERIOR ELEVATIONS

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SP

CHECKED BY:
WS
AE

DATE:
12/14/01

SHEET NUMBER:
A6.03



EOT-4191 - APPLICANT/OWNER: GOLDEN RULE, INC.
832 North Eastern Avenue
MAY 5, 2004 CITY COUNCIL MEETING

Picture taken 04/07/04

City of Las Vegas

Agenda Item No. 83

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:

REVIEW OF CONDITION - PUBLIC HEARING - **ROC-4170 - APPLICANT: ASTORIA HOMES - OWNER: ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY** - Request for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-3482), which required that a General Plan Amendment to MLA-TC (Medium-Low Attached Residential - Town Center) be approved by City Council prior to the submittal of a Tentative Map for a 751-lot single-family residential development adjacent to the northeast corner of Farm Road and Fort Apache Road (APN: 125-17-201-001 and a portion of 125-17-201-002), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Land Use Designation], Ward 6 (Mack). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and amending Condition 2 as follows:

2. Approval of a Site Development Plan Review for the commercial portion of the site by the Planning Commission or City Council prior to *acquisition of building permits for the commercial portion or within two years, whichever occurs first.*

– UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY TOM AMICK, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of Astoria Homes. He indicated that upon discussion with staff, Condition 2 would be modified, to which MARGO WHEELER, Deputy Director, Planning and Development Department, agreed.

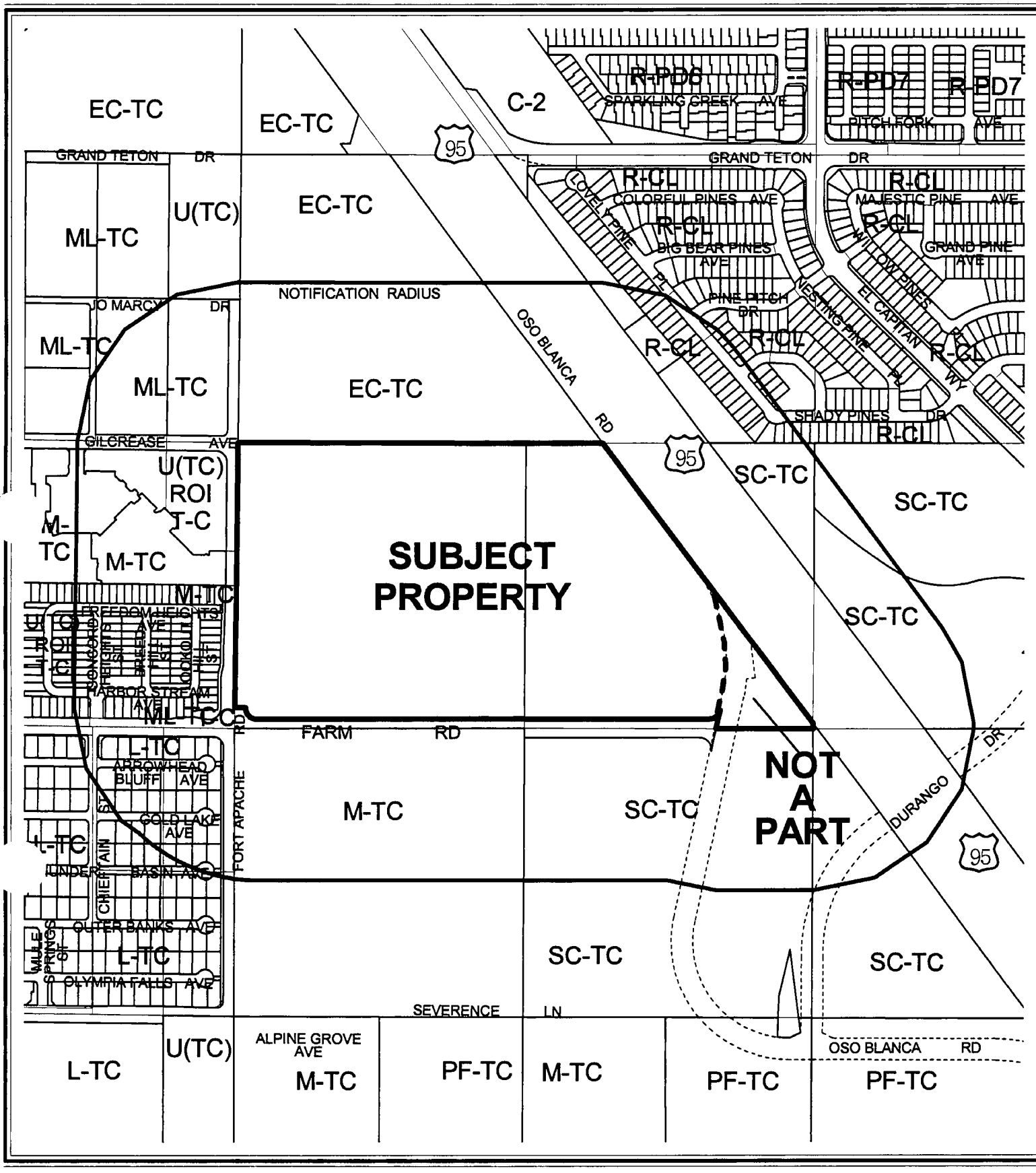
CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 83 – ROC-4170

MINUTES – Continued:
No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.
(1:31 – 1:33)
4-272

CONDITIONS:
Planning and Development
1. Condition Number 5 of Site Development Plan Review (SDR-3482) shall be deleted.

2. Approval of a Site Development Plan Review for the commercial portion of the site by the Planning Commission or City Council prior to recordation of a Final Map.



CASE: **ROC-4170**

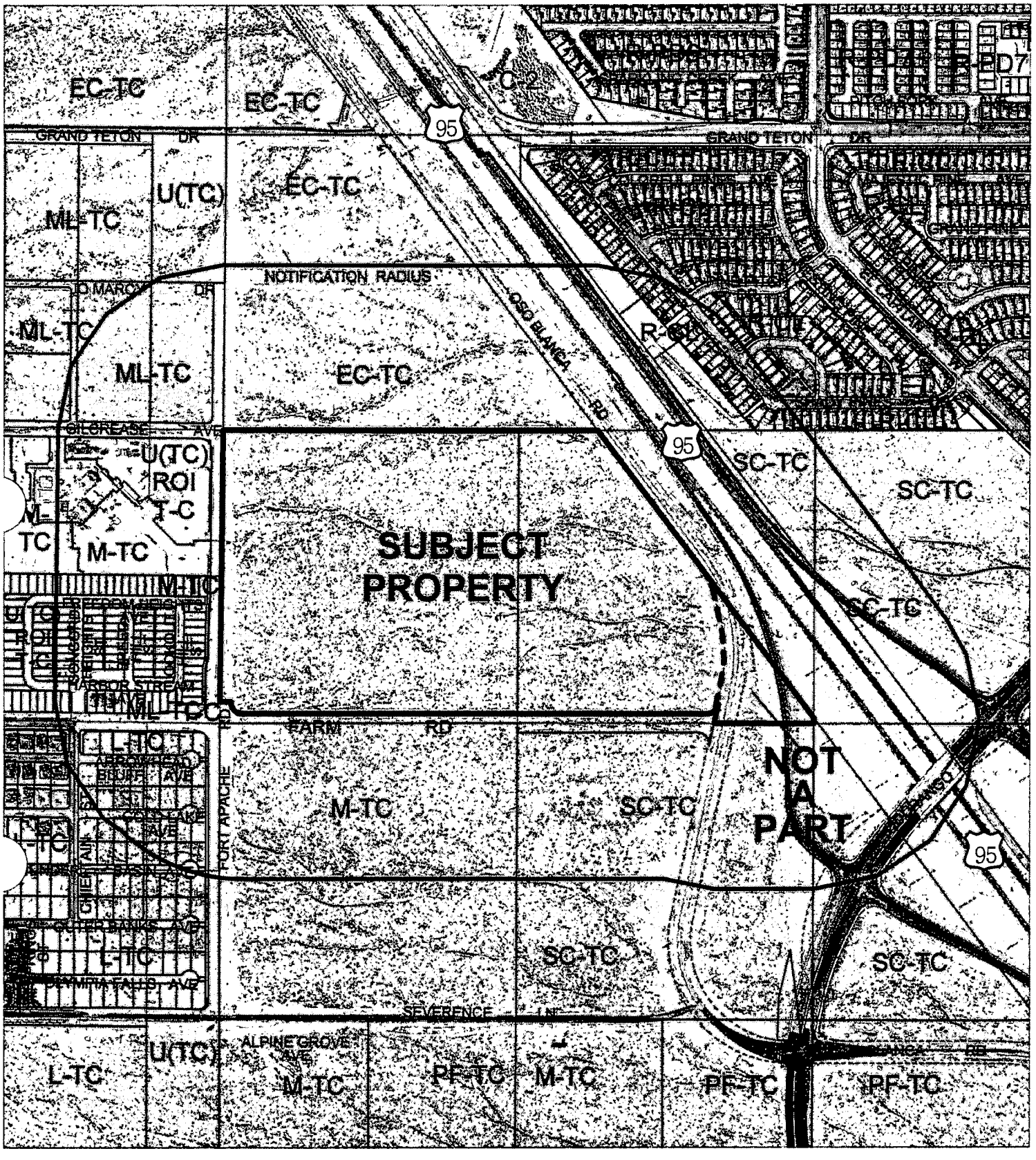
RADIUS: 750 FT

0 500 1000 Feet

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N



CASE: **ROC-4170**

RADIUS: 750 FT

0 500 1000 Feet

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-4170 - APPLICANT: ASTORIA HOMES – OWNER: ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY

** CONDITIONS **

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition Number 5 of Site Development Plan Review (SDR-3482) shall be deleted.

2. Approval of a Site Development Plan Review for the commercial portion of the site by the Planning Commission or City Council prior to recordation of a Final Map.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Review of Condition Number 5 of an approved Site Development Plan Review (SDR-3482), which required that a General Plan Amendment to MLA-TC (Medium-Low Attached Residential - Town Center) be approved by City Council prior to the submittal of a Tentative Map for a 751-lot single-family residential development adjacent to the northeast corner of Farm Road and Fort Apache Road. Approval of this request will allow the subject property to remain designated SX-TC (Suburban Mixed Use – Town Center) within the Town Center Plan Area. A Tentative Map (TMP-4055) has already been submitted for the residential subdivision related to this item; it will be considered by the Planning Commission on May 13, 2004, unless this item is denied by the City Council.

B) Applicant's Justification

The applicant justifies this request by stating that the intent of the SX-TC (Suburban Mixed Use – Town Center) land use classification is met because the proposed development includes a 1.65-acre section in the northeast portion of the site that is intended for non-residential uses. As a result, the applicant and Planning and Development staff agreed at the time of the pre-application conference that a General Plan Amendment would not be necessary.

BACKGROUND INFORMATION

A) Previous Actions

12/07/98 The City Council approved a Rezoning to T-C (Town Center) on this site as part of a larger request (Z-0076-98). The Planning Commission and staff recommended approval on 11/05/98.

03/06/02 The City Council approved a General Plan Amendment (GPA-0053-01) from SC-TC (Service Commercial – Town Center) to SX-TC (Suburban Mixed Use - Town Center) on the western 40 acres of this site. The Planning Commission and staff recommended approval on 01/24/02.

06/05/02 The City Council approved a General Plan Amendment (GPA-0004-02) from SC-TC (Service Commercial – Town Center) to SX-TC (Suburban Mixed Use - Town Center) on the eastern 26 acres of this site. The Planning Commission and staff recommended approval on 04/25/02.

02/18/04 The City Council approved requests for a Site Development Plan Review (SDR-3482) for a proposed 751-lot single family residential development and a Waiver of Town Center street section, retaining wall height, suburban mixed use buffer, and building height restriction standards; a Variance (VAR-3488) to allow one parking space per single-family dwelling where a minimum of two spaces per single-family dwelling are required; and a Waiver (WVR-3492) of Title 18.12.105(a) to allow private drives to exceed 200 feet where a maximum length of 150 feet is permitted on the 67.41-acre subject property. The Planning Commission recommended approval of all items on 01/22/04. Staff recommended denial of all requests.

05/13/04 The Planning Commission will consider a Tentative Map (TMP-4055) for a 749-lot single-family cluster subdivision on the 67.41-acre subject site, including a 1.76-acre commercial lot. Staff is recommending approval.

B) Pre-Application Meeting

A pre-application meeting is not required for a Review of Condition application. However, one was held for the related Site Development Plan Review (SDR-3482) request. At this meeting, it was determined that the SX-TC (Suburban Mixed Use – Town Center) land use designation could be retained on the site if several of the Town Center Development Standards related to the SX-TC (Suburban Mixed Use – Town Center) District were waived by the City Council.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Review of Condition application, nor was one held for this request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	67.41
Residential Acres:	65.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Rancho Drive/U. S. 95 Right-of-Way
West:	Undeveloped

C) Planned Land Use

Subject Property:	SX-TC (Suburban Mixed Use - Town Center)
North:	EC-TC (Employment Center Mixed Use - Town Center)
South:	M-TC (Medium Low Density Residential - Town Center)
East:	Rancho Drive/U. S. 95 Right-of-Way
West:	ML-TC (Medium Low Residential - Town Center) and M-TC (Medium Density Residential - Town Center)

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	Rancho Drive/U. S. 95 Right-of-Way
West:	U (Undeveloped) [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center)

E) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The site is designated SX-TC (Suburban Mixed Use – Town Center) within the Town Center Land Use Map, which allows a mix of commercial uses and residential densities from 0 to 25 units per acre. The proposed single-family development is within the range of uses permitted in this land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Centennial Hills Town Center		
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan. The development of the site will be according to the Town Center Development Standards.

PROJECT DESCRIPTION

The proposed development consists of 751 single-family lots covering the 65.63-acre site. An additional 1.65 net acres with frontage along Oso Blanca Road is reserved for commercial uses. Access to the lots is provided via 37- and 39-foot wide public streets as well as 24-foot wide private drives. Three different residential products are proposed. The largest product is a three-story home with a two-car garage and an 18-foot driveway to accommodate the two required parking spaces. The others are both two-story products with one- and two-car garages, arranged in clusters of six, eight or more, with front yards facing each other over a common walkway, and garages accessed from a communal private drive on a common lot to the rear. Title 19.10.010 requires a minimum of two unimpeded parking spaces be provided on each single-family lot. Approval of this development requires approval of the companion parking Variance to allow one parking space for those units with one-car garages.

Four common open space areas are located throughout the development, totaling 2.7 acres. The remaining 6.8 acres of open space is provided in the amenity zones along the public street frontages, both interior and exterior. The building elevations of the single-family dwellings depict two- and three-story units with stucco exteriors and concrete tile roofs.

ANALYSIS

Staff based its denial of the related Site Development Plan Review (SDR-3482) on the incompatibility of the proposed development with the aims of the SX-TC (Suburban Mixed Use – Town Center) designation. This designation is intended for developments that provide a variety of uses and encourage building and site designs that maximize employment and housing opportunities. In order to retain the SX-TC (Suburban Mixed Use – Town Center) designation, the applicant requested numerous waivers to the Town Center Development Standards and Title 18 (Subdivision Code) and a Variance (VAR-3488) of the single-family residential parking standards. Staff could not find adequate justification for the development of the site other than in full compliance with all code requirements. Because the project was inconsistent with the goals of the SX-TC (Suburban Mixed Use – Town Center) designation, Staff recommended a General Plan Amendment to MLA-TC (Medium-Low Attached – Town Center) if approved.

The staff report did not reference the 1.76 gross acres in the northeast portion of the site that were intended to include commercial uses. However, the applicant did not call attention to this area in any of the submittal materials. No additional plans were offered that provided information about the development of the commercial site. Therefore, there was no analysis of the effects of a highway commercial development abutting a single-family residential area. Even with the inclusion of the commercial piece, without the waivers the development is not a mixed-use project and does not meet the intent of the SX-TC (Suburban Mixed Use – Town Center) designation.

Given the approval of the waivers of the SX-TC (Suburban Mixed Use – Town Center) Development Standards, Title 18 standards and the parking variance, a General Plan Amendment to MLA-TC (Medium-Low Attached Residential – Town Center) is no longer necessary. An additional Site Development Plan Review for the commercial area will need to be submitted prior to recordation of the Final Map encompassing the residential and commercial components of the site.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

While the proposed development is not in substantial compliance with the requirements of the SX-TC (Suburban Mixed Use – Town Center) designation, the City Council approved waivers of the Town Center Development Standards, a Waiver of the Subdivision Code, and a Variance of the Zoning Code that would allow this development to continue in the SX-TC (Suburban Mixed Use – Town Center) District according to the proposed site plans, subject to numerous conditions. The proposed single-family residential development is similar to other development in this area. The compatibility of the 1.76-acre commercial portion of the plan with single-family residential uses cannot be determined until additional plans detailing the size and intensity of the commercial uses are submitted for review.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed development is not in conformance with Title 19, Title 18, the Centennial Hills Sector Plan, or the Town Center Development Standards; however, waivers to these standards have been approved that will allow conformance to codes.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The site will have access to Fort Apache Road and Farm Road, both 100-foot wide Primary Arterials, and Gilcrease Avenue, an 80-foot wide residential collector. These streets are adequate to serve the proposed development. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The landscaping and materials proposed for this development are appropriate for a single-family residential area. Although this area is intended primarily as a single-family area, the building materials and landscaping meet Town Center landscaping requirements.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The proposed residential development employs two-story and three-story floor plans. While the individual designs and elevations of the proposed homes are satisfactory, the tight arrangement into clusters of six, eight or more units with little yard space is likely to create a crowded urban environment that is aesthetically unpleasing and may not be compatible with planned residential and commercial uses in the area. Further review of the commercial area is required to determine compatibility with the proposed single-family residential dwellings.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to inspection by the City and will not compromise the health, safety and general welfare of the public.

NOTICES MAILED 104 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-4170 APN: 125-17-201-001 and 002

Name of Property Owner: Astoria Northwest 40 LLC

Name of Applicant: Astoria Homes

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes ____√____ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

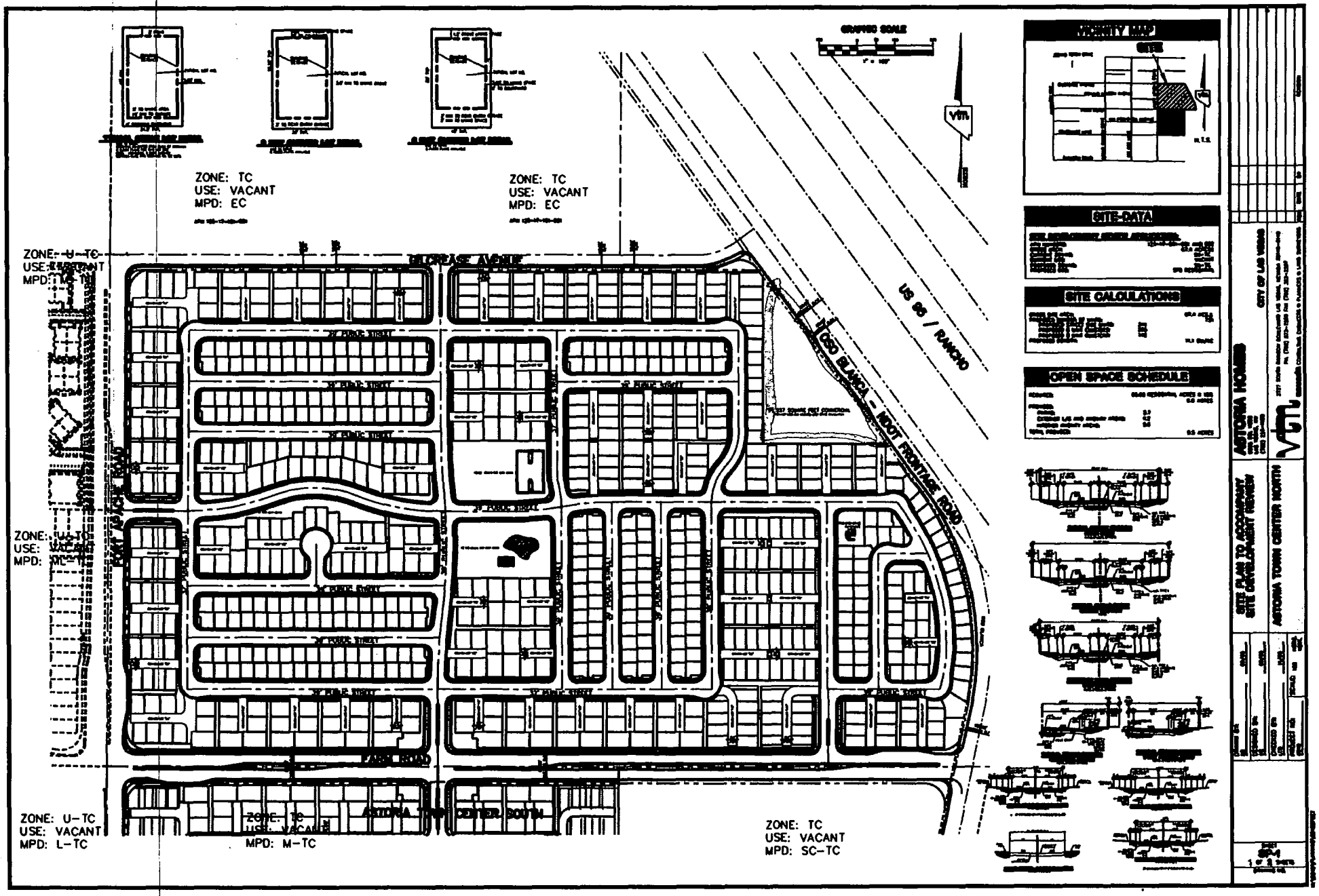
Print Name: Thomas McCormick

Subscribed and sworn before me

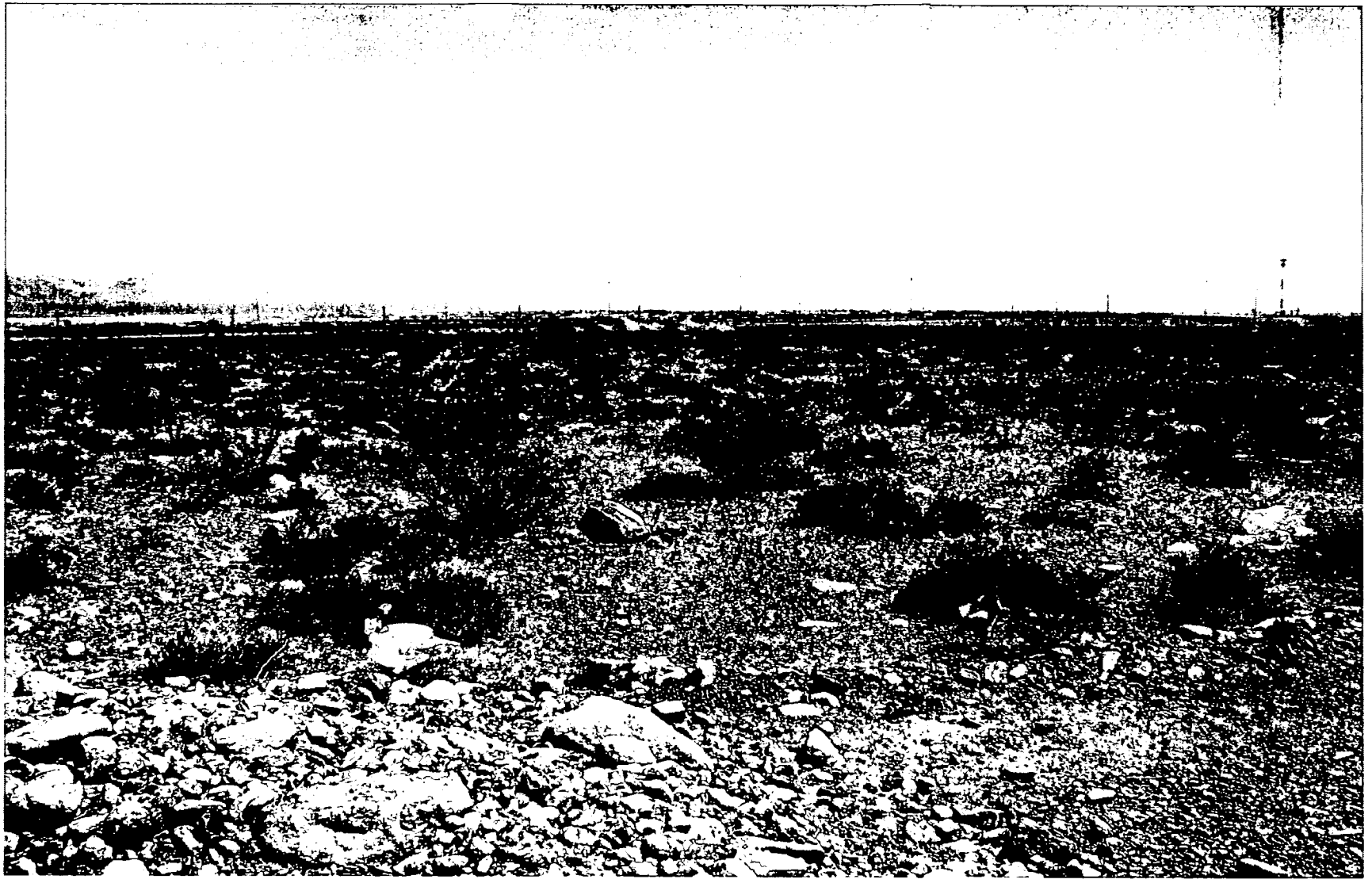
This 26 day of March, 2004

Patricia Whipple
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PATRICIA WHIPPLE
No. 00-63238-1 My Appointment Expires May 9, 2004



ROC-4170 5-5-04 CC



ROC-4170 - APPLICANT: ASTORIA HOMES – OWNER: ASTORIA NORTHWEST 40, LIMITED LIABILITY COMPANY
Northeast corner of Farm Road and Fort Apache Road
MAY 5, 2004 CITY COUNCIL MEETING

Picture taken 04/07/04

City of Las Vegas

Agenda Item No. 84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-3996 - APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY - OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers for a reduction of perimeter, parking lot, and sidewalk landscaping FOR A PROPOSED 2,762 SQUARE-FOOT GENERAL RETAIL BUILDING AND A 408 SQUARE-FOOT DRIVE THROUGH COFFEE KIOSK on 0.49 acres at 1509 West Charleston Boulevard (APN: 162-04-501-001 & 002) C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused and Ward 2 seat vacant

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

DAVID TURNER, Baughman & Turner, 1210 Hinson Street, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:33 – 1:34)

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 84 – SDR-3996

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council 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.

5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. 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.

CONDITIONS – Continued:

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

12. Waivers to the landscape standards of the Code are granted.

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. Submit an application for an Occupancy Permit for any landscaping or improvements in the Nevada Department of Transportation controlled portions of Charleston Boulevard and Martin L. King Boulevard public rights-of-way adjacent to this site prior to the issuance of any permits.

16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

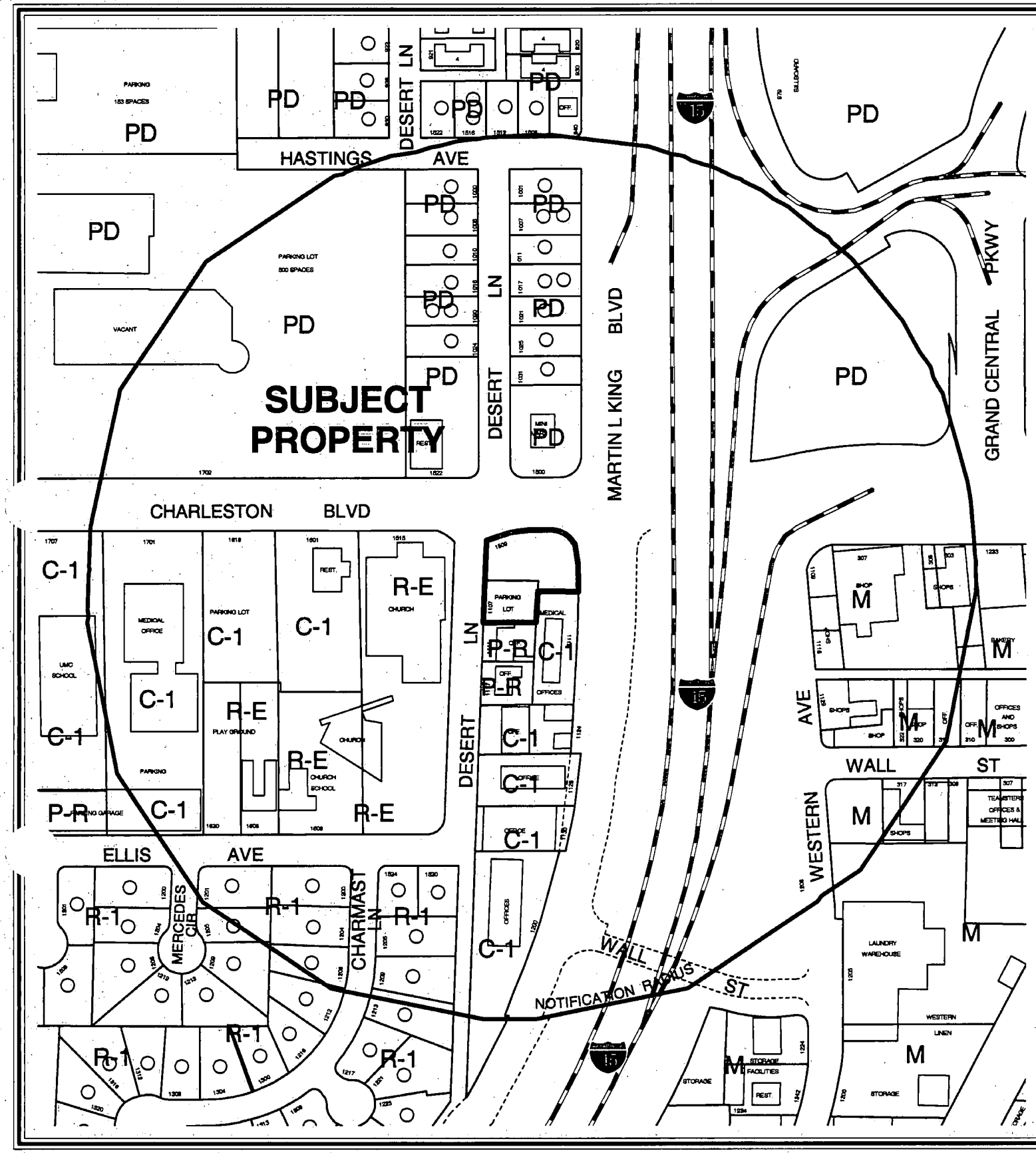
17. Obtain an Encroachment Agreement for any landscaping and private improvements in the City of Las Vegas controlled public rights-of-way adjacent to this site.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and

CONDITIONS – Continued:

dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

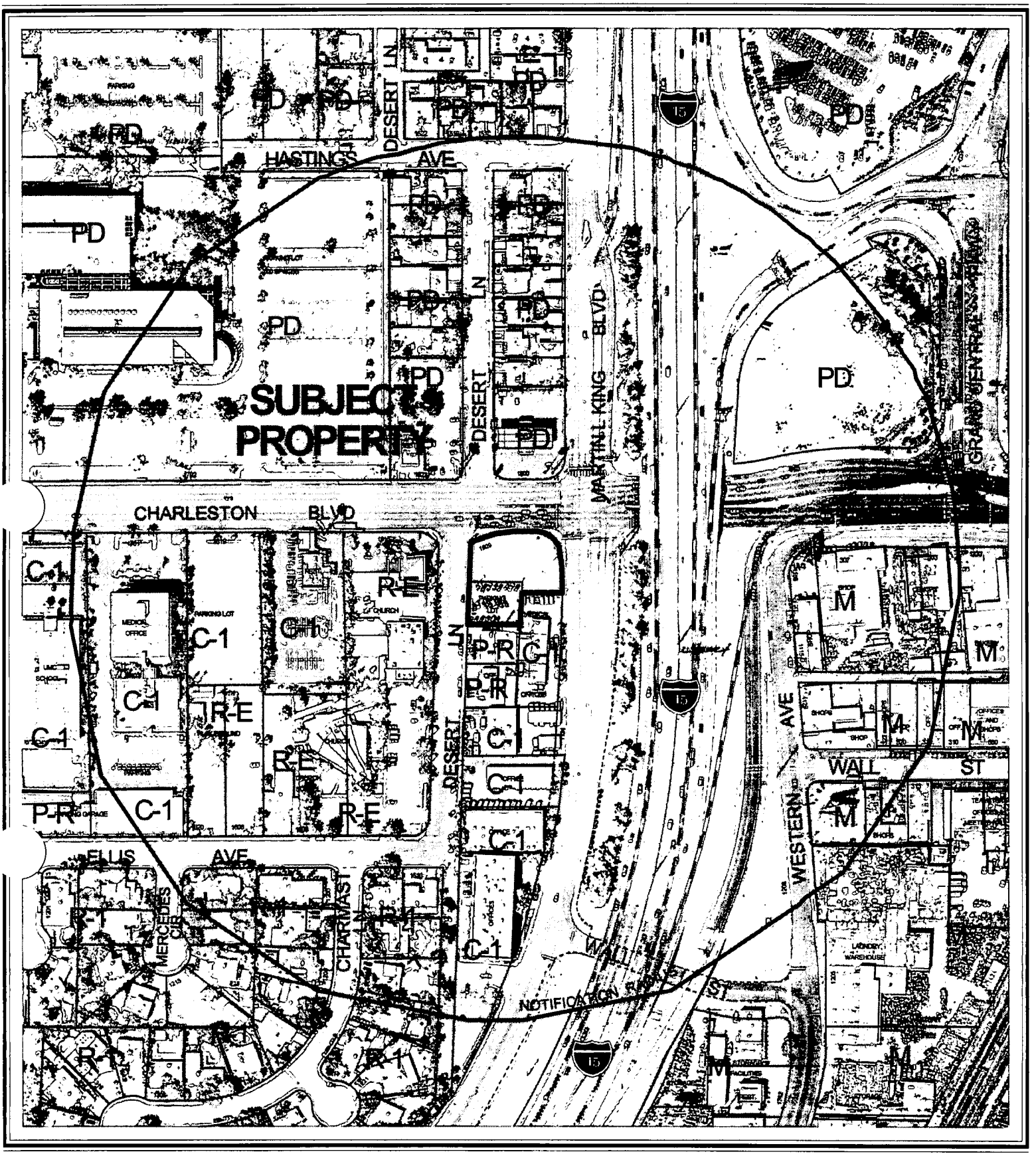
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: **SDR-3996**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SDR-3996**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3996 - APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY - OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

4. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council 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.

5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

10. 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.

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

12. Waivers to the landscape standards of the Code are granted.

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. Submit an application for an Occupancy Permit for any landscaping or improvements in the Nevada Department of Transportation controlled portions of Charleston Boulevard and Martin L. King Boulevard public rights-of-way adjacent to this site prior to the issuance of any permits.

16. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. Obtain an Encroachment Agreement for any landscaping and private improvements in the City of Las Vegas controlled public rights-of-way adjacent to this site.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the

location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

The request is for a Site Development Plan Review for a 2,762 square-foot general retail building and a 408 square-foot drive-thru coffee shop with waivers for a reduction of perimeter, parking lot, and sidewalk landscaping on 0.49 acres at 1509 West Charleston Boulevard.

B) Applicant's Justification

The development of this site will enhance and beautify the intersection of Charleston Boulevard and Martin Luther King Boulevard, a highly visible and traveled corridor.

BACKGROUND INFORMATION

A) Previous Actions

09/16/92 The applicant withdrew a request for a Special Use Permit (U-0203-92) to allow coin-operated gaming machines in conjunction with an existing service station. The Zoning Board of Adjustment recommended approval on 8/25/92

04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item # 16/fs)

B) Pre-Application Meeting

01/14/04 Issues discussed included the various waivers that would be required, and the acknowledgement that many design issues would be addressed by the traffic study.

C) Neighborhood Meetings

A neighborhood meeting is not required for Site Development Plan Review applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.59

B) Existing Land Use

Subject Property:	Vacant
North:	Convenience Store
South:	Medical Office
East:	MLK Blvd / Interstate 15
West:	Church

C) Planned Land Use

Subject Property:	SC (Service Commercial)
North:	SC (Service Commercial)
South:	SC (Service Commercial)
East:	MLK Blvd / Interstate 15
West:	O (Office)

D) Existing Zoning

Subject Property:	C-1 (Limited Commercial)
North:	PD (Planned Development)
South:	C-1 (Limited Commercial)
East:	MLK Blvd / Interstate 15
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the southeast Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed retail store and drive thru coffee shop are permitted uses.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The project does not fall within any special districts or zones.

PROJECT DESCRIPTION

The site consists of a 2,762 square-foot general retail building and a 408 square-foot drive-thru coffee shop. Access to the site is provided via a drive from Desert Lane, a 60-foot Collector Street, and Martin Luther King Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. There are 20 parking spaces on site, and there are four stacking lanes to accommodate the coffee shop drive-through.

The proposal is deficient in the required amount of perimeter, parking lot, and sidewalk landscaping. Along the north and east property lines, planter widths vary between three and 22 feet where 15 feet is required. Along the south property line the plan depicts a four-foot planter where eight feet is required. Sidewalks along arterial streets one hundred feet

and wider require a separation from the back of the street curb by a minimum of five feet of landscaped buffer area. The plan shows no landscaping in this required area. For parking lots, one tree is required for every sixth parking space, but no trees have been provided. Waivers have been requested for the aforementioned deficiencies.

The building elevations depict aesthetically pleasing buildings that are compatible with the surrounding development.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	156 Feet	Y
Min. Setbacks			
• Front	20 Feet	22 Feet	Y
• Side	10 Feet	13 Feet	Y
• Corner	15 Feet	32 Feet	Y
• Rear	20 Feet	88 Feet	Y
Max. Lot Coverage	50 %	< 50 %	Y
Max. Building Height	2 Stories / 35 Feet	26 Feet	Y
Trash Enclosure	Roofed / Enclosed	Roofed / Enclosed	Y
Loading Zone	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

The proposal meets or exceeds Title 19 development standards.

A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	2,763 SF	1 / 175 GFA	15	1	15	1
Coffee Shop	408 SF	1 / 100 GFA	4	0	4	0

The project meets Title 19 parking standards.

A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	4 Trees	0 Trees
Buffer:			
• Min. Trees (Street)	1 Trees / 20 Linear Feet	17 Trees	17 Trees
• Min. Trees (Perimeter)	1 Trees / 30 Linear Feet	9 Trees	16 Trees
• Min. Zone Width	8 Feet		3 Feet

The proposal is deficient in the required amount of perimeter, parking lot, and sidewalk landscaping. Along the north and east property lines, planter widths vary between three and 22 feet where 15 feet is required. Along the south property line the plan depicts a four-foot planter where eight feet is required. For parking lots, Title 19 requires one tree for every six parking spaces, but no trees have been provided. Waivers have been requested for the aforementioned deficiencies.

B) General Analysis and Discussion

- Zoning

The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

- Site Plan

The site consists of a 2,762 square-foot general retail building and a 408 square-foot drive-through coffee shop. Access to the site is provided via a drive from Desert Lane, a 60-foot Collector Street, and Martin Luther King Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. There are 20 parking spaces on site, and there are four stacking lanes to accommodate the coffee shop drive-thru. It is noted that the possible expansion of Interstate 15 may affect the subject site in the future.

- Waivers

Waivers for reduction of perimeter, parking lot, and sidewalk landscaping have been requested.

- Landscape Plan

  The proposal is deficient in the required amount of perimeter, parking lot, and sidewalk landscaping. Along the north and east property lines, planter widths vary between 3 and 22 feet where 15 feet is required. Along the south property line the plan depicts a four-foot planter where 8 feet is required All planters are planted with 42-inch box Palms, 42-inch box Eastern Redbuds, 42-inch box Alepo Pines, and 48-inch box Italian Cypress trees. Sidewalks along arterial streets one hundred feet and wider require a separation from the back of the street curb by a minimum of five feet of landscaped buffer area. The plan shows no landscaping in this required area. For parking lots, one tree is required for every sixth parking space, but no trees have been provided. Waivers have been requested for the aforementioned deficiencies.

- Elevation

  The building elevations depict the retail building as being between 19 and 26 feet high, with both a flat and pitched roof, and a stucco exterior. At its highest point, the coffee shop is approximately 19 feet high. The building consists of several flat roofs of varying height, and a metal and stucco exterior.

- Floor Plan

  The floor plans are typical of those for a general retail building and a coffee shop.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

   The proposed development is in a predominantly commercial area along a major arterial and in close proximity to Interstate 15. The proposed drive-through coffee shop and retail store are compatible with development in the area.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

   With the approval of the requested landscape waivers, the development will be consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly adopted City Plans, policies and Standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Access to the site is provided via a drive from Desert Lane, a 60-foot Collector Street, and Martin Luther King Boulevard, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The proposal exceeds Title 19 tree standards as the perimeter trees are up to 48-inch box in size, where only 24-inch box trees are required. With the approval of the requested landscape waivers, the building and landscape materials will be appropriate for this area and for the City.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations for the proposed retail building and drive-thru coffee shop are not unsightly and will be harmonious and compatible with development in the area.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed retail building and drive-thru coffee shop will be subject to regular inspections and therefore will not compromise the public health, safety, and welfare.

NOTICES MAILED 53 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3996 APN: 162-04-501-001, 162-04-501-002

Name of Property Owner: EQUILON ENTERPRISES, LLC

Name of Applicant: FIRST STREET VENTURES, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

____ Yes __X__ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Charles T. Badrick

Print Name: Charles T. Badrick Attorney-in-Fact

Subscribed and sworn before me

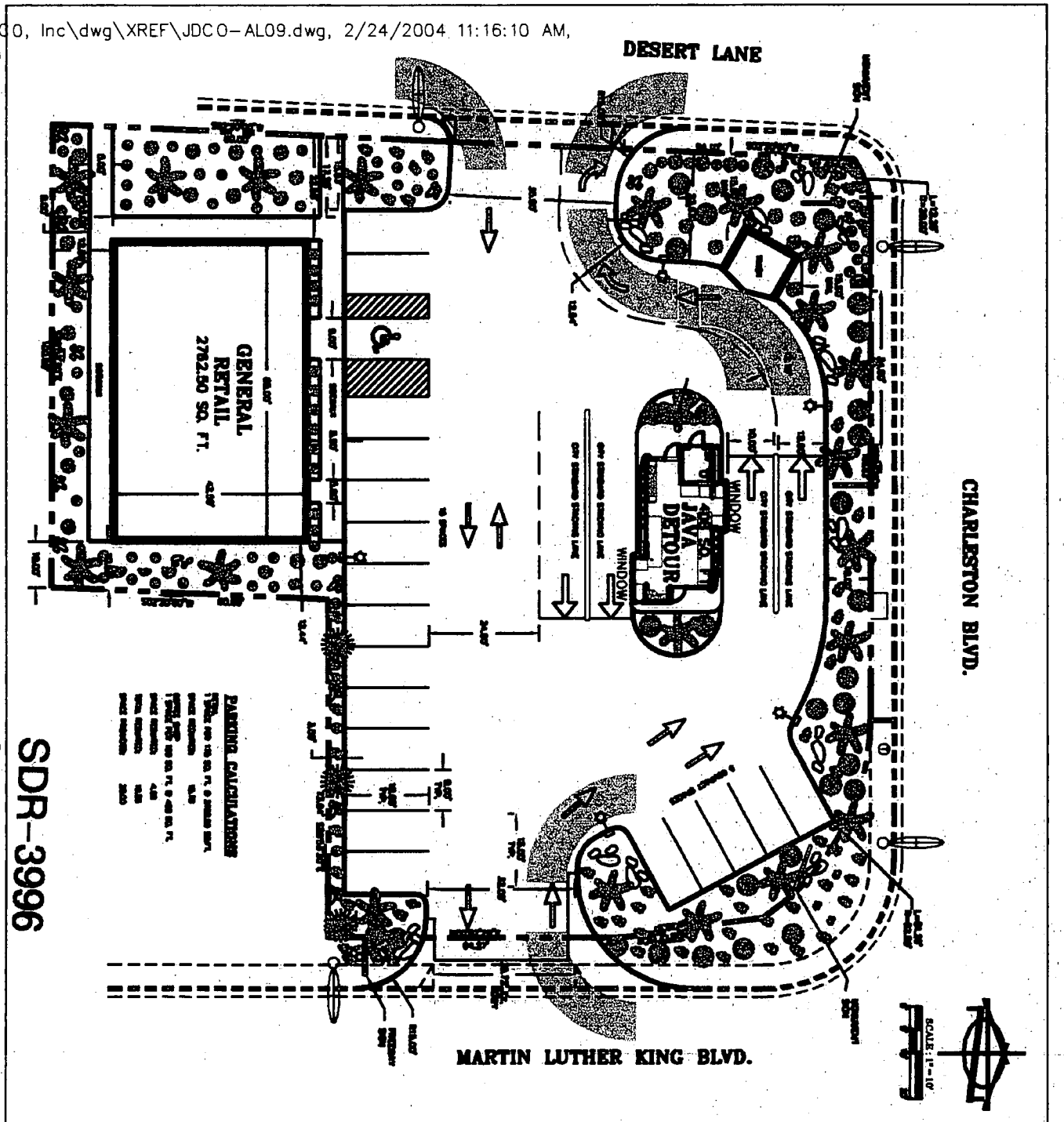
This 23rd day of February, 2004

Beverly J. Klug

Notary Public in and for said County and State

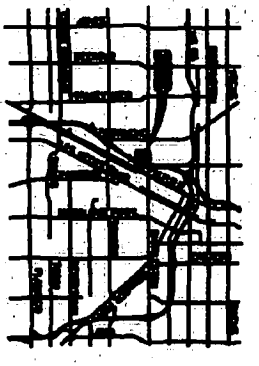
BEVERLY J. KLUG
Notary Public, State of Texas
My Commission Expires
June 18, 2005

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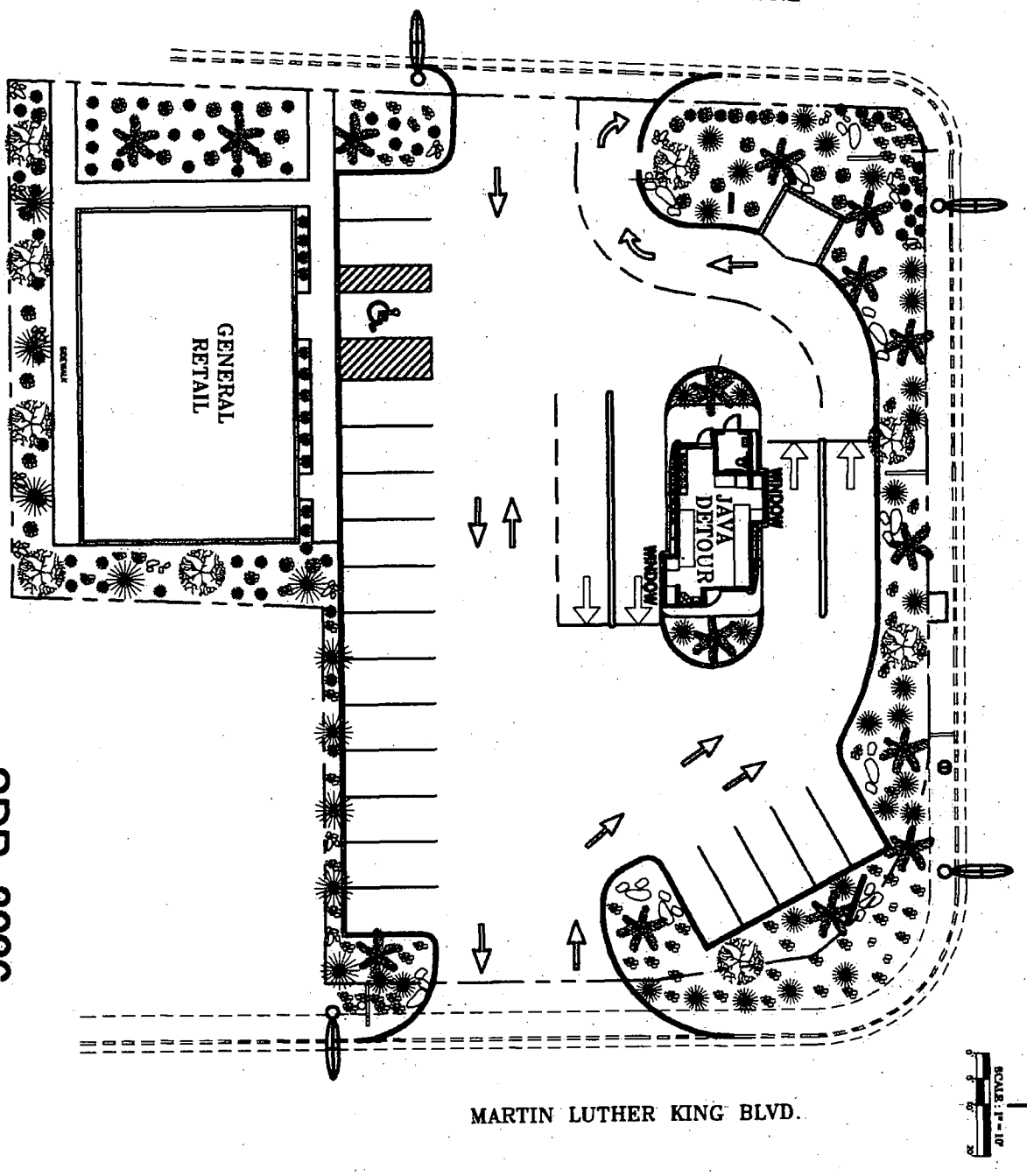
SDR-3996

04-08-04 PC



ST-1	JAVA DETOUR SITE PLAN	BAUGHMAN & TURNER, INC.	JDCO, INC.	

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SDR-3996

04-08-04 PC

VICINITY MAP

LEGEND

LEGAL DESCRIPTION

BASIS OF BEARING

FLOOD ZONE INFORMATION

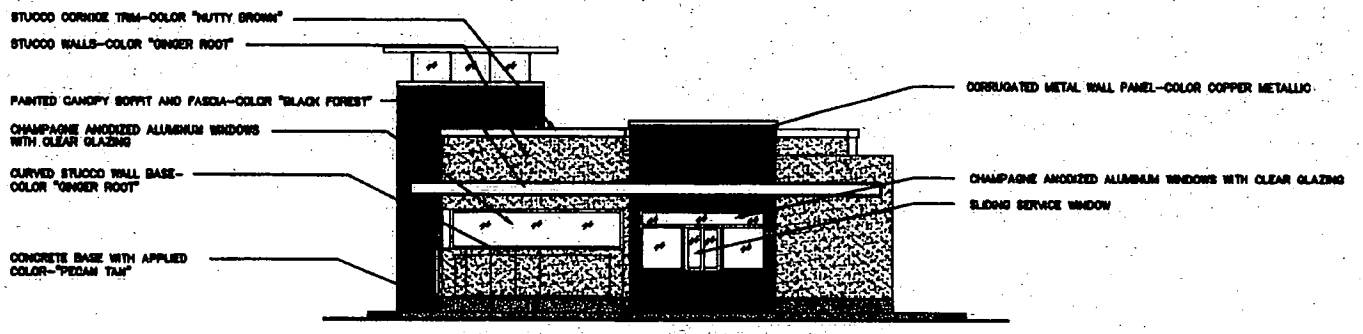
CURRENT ZONING INFORMATION

JAVA DETOUR
LANDSCAPE PLAN
CHARLESTON BLVD.

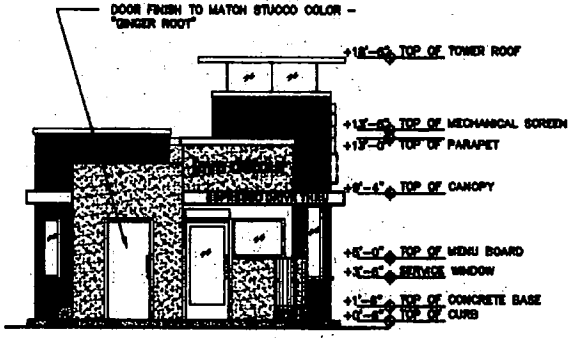
BAUGHMAN & TURNER, INC.

JDCO, INC.

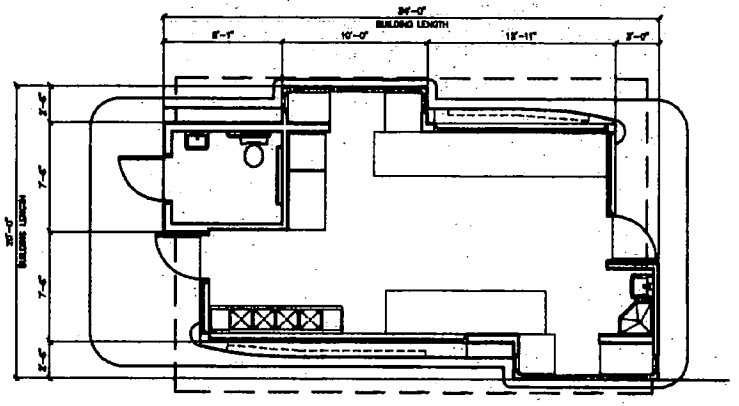
LS-1

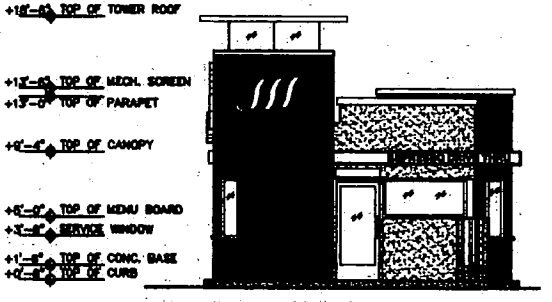


3) SOUTHWEST ELEVATION FACING INTERIOR OF LOT

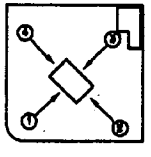


4) SOUTHEAST ELEVATION



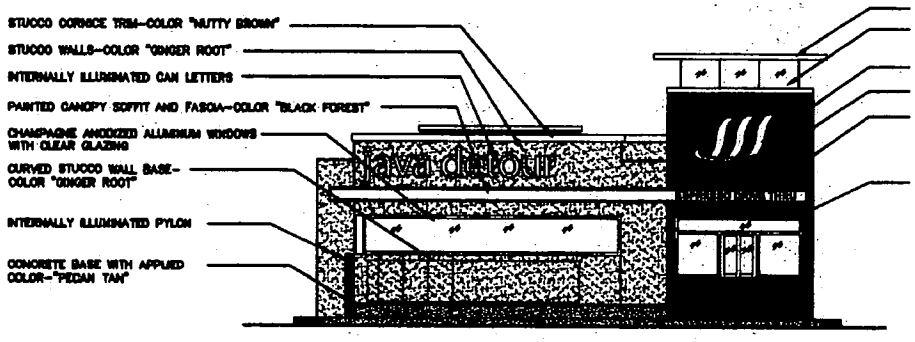


2) NORTHWEST ELEVATION



KEY PLAN





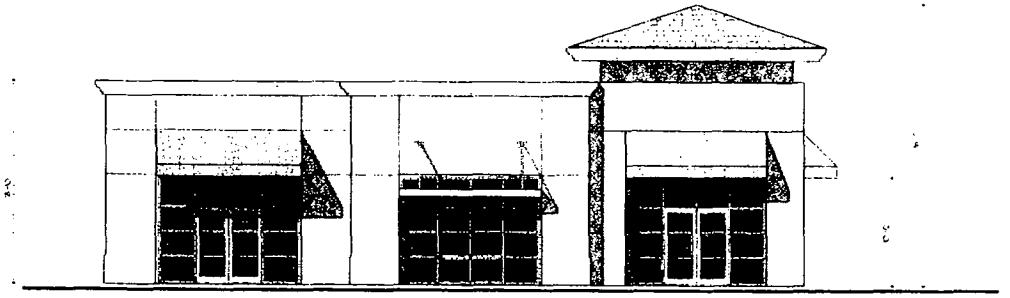
1) NORTHEAST ELEVATION

SDR-3996
04-08-04 PC

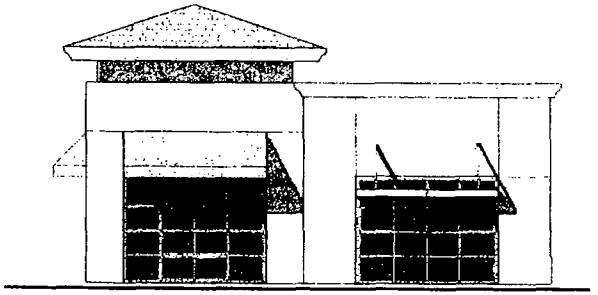
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MONIGHAN 710 12th street | sacramento, ca | 95814 T 916.448.1901 | F 4701 | www.monighan.com	Java Detour Las Vegas, CA	Planning Design Review February 23, 2004	A1 SHEET

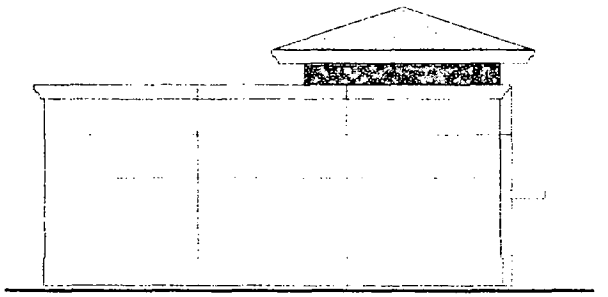
P.K.
THISTLE A.I.A.
ARCHITECTURE
PLANNING



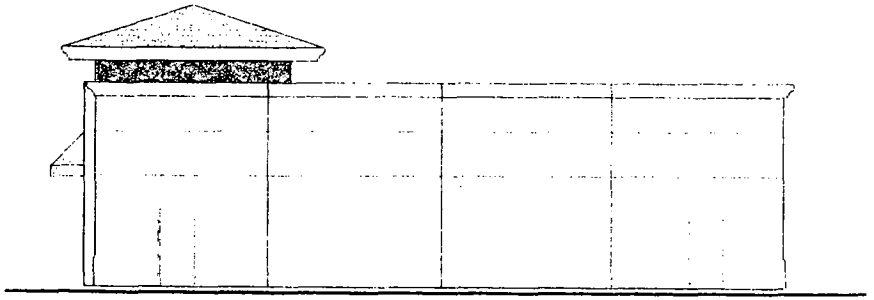
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

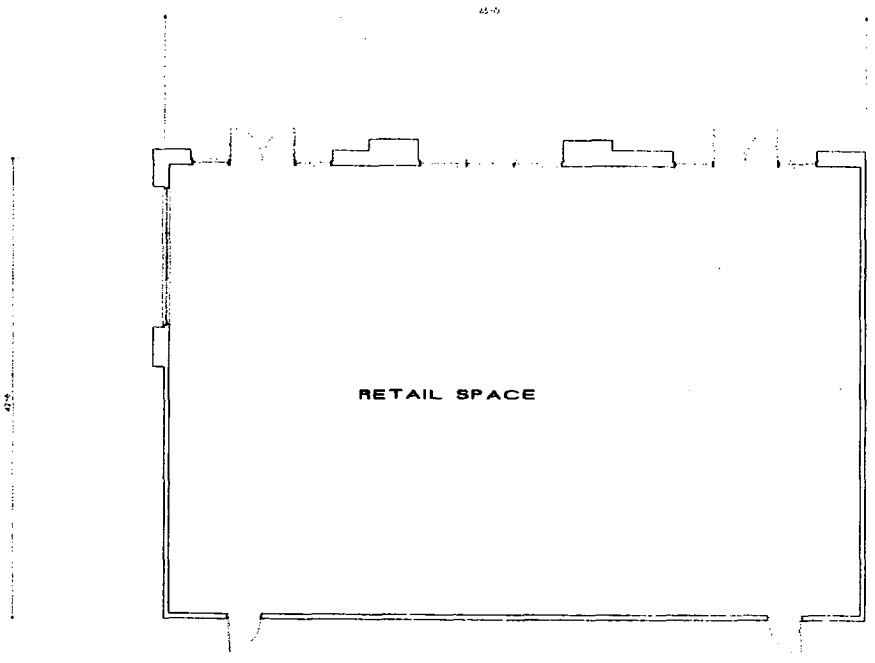


SOUTH ELEVATION

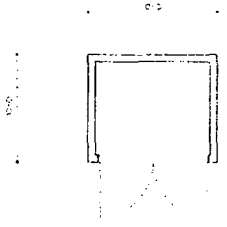
COMMERCIAL BUILDING

SDR-3996
04-08-04 PC

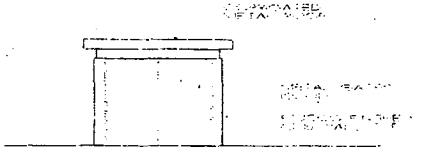
1



FLOOR PLAN
SCALE 3/16" = 1'-0"



TRASH ENCLOSURE
PLAN
SCALE 3/16" = 1'-0"

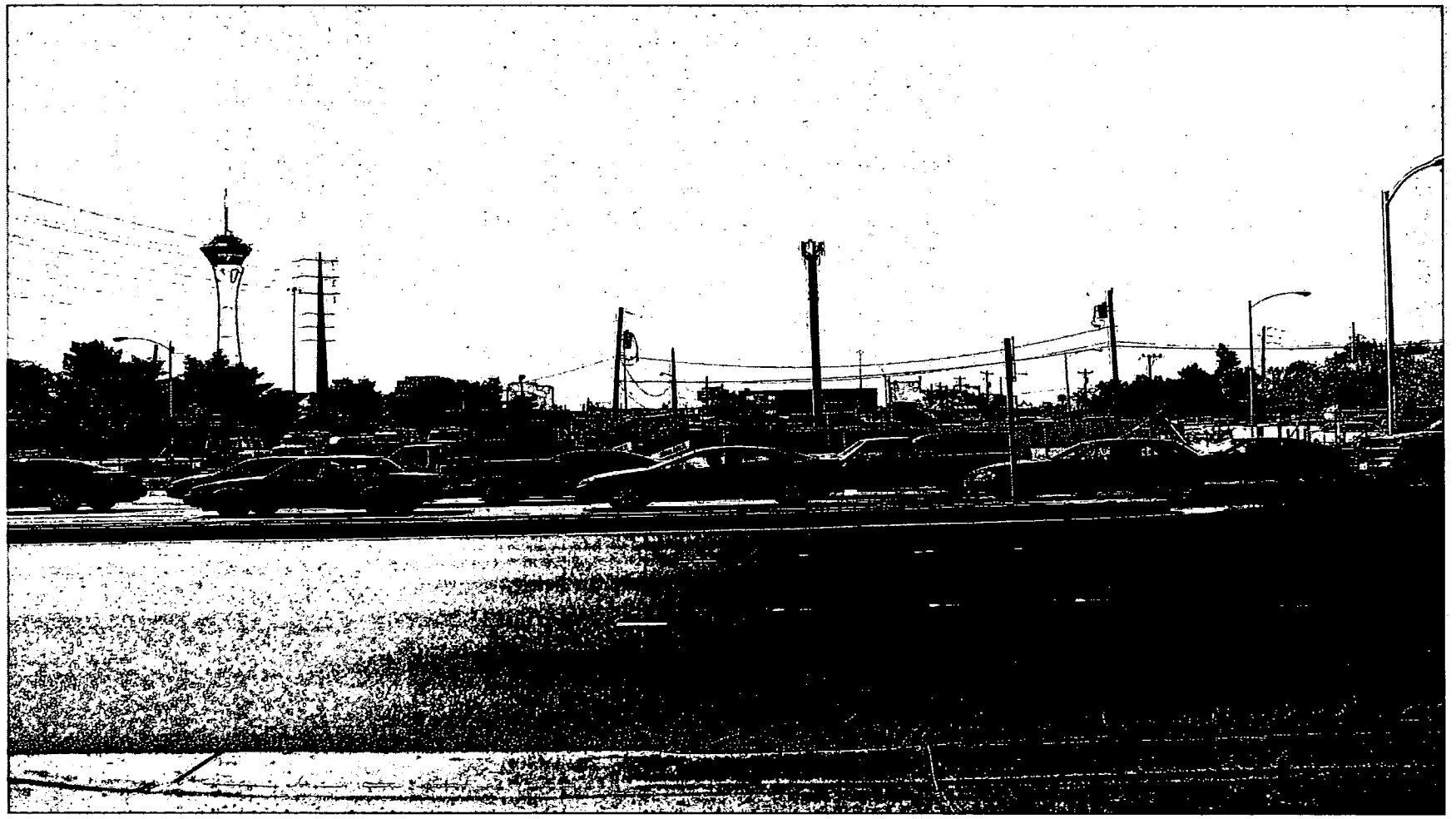


TRASH ENCLOSURE
ELEVATION
SCALE 3/16" = 1'-0"

SDR-3996
04-08-04 PC

P.K.
THISTLE AIA

2



SDR-3996 - APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY - OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY
1509 WEST CHARLESTON BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3996 - APPLICANT: FIRST STREET VENTURES, LIMITED LIABILITY COMPANY - OWNER: EQUILON ENTERPRISES, LIMITED LIABILITY COMPANY
1509 WEST CHARLESTON BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

City of Las Vegas

Agenda Item No. 85

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: MAY 5, 2004

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: ROBERT S. GENZER [ ] CONSENT [X] DISCUSSION

SUBJECT:
MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **MDR-3867 - APPLICANT/OWNER: HOWARD HUGHES PROPERTIES** - Request for a Master Development Plan Review FOR SUMMERLIN VILLAGE 24 on 502.2 acres adjacent to the west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard (a portion of APN: 137-22-000-010 and a portion of 164-04-000-011), P-C (Planned Community) Zone, Ward 2 (Vacant). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:
BROWN – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN excused and Ward 2 seat vacant

MINUTES:
MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

ROBERT GENZER, Director, Planning and Development Department, indicated for COUNCILMAN BROWN that he could not recall who represented the applicant at the Planning Commission meeting. He explained for MAYOR PRO TEM REESE that staff is not aware of any problems with this application. This is a standard process for all the villages within Summerlin and the item is in order. MR. GENZER further verified for COUNCILMAN BROWN that the conditions are those approved at Planning Commission.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:34 - 1:35)

CITY COUNCIL MEETING OF MAY 5, 2004
Planning and Development Department
Item 85 – MDR-3867

CONDITIONS:

Planning and Development

1. All development shall conform to the Summerlin Development Standards.

2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones excluding parks in this development.

3. For non-residential projects: Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

4. Prior to or concurrent with development of each parcel/village, appropriate right-of-way dedications, street improvements, drainage plan/study submittals, drainage improvements, sanitary sewer collection system extensions and traffic impact analyses including traffic mitigation plans along with signal participation schedules and pedestrian circulation plans may be required by the Department of Public Works. Comply with such requirements when imposed and/or when compliance is indicated.

5. Provide a minimum of two lanes of paved legal access from an existing paved public street to each individual development area prior to occupancy of any buildings within each development area.

6. A Master Sewer Plan for the overall site must be submitted to and approved by the Department of Public Works prior to the issuance of any site grading or building permits or the recordation of a Master Final Map, whichever may occur first. Additional specific village and/or site sewer plan/studies may be required with each individual pod or phase of development activity based upon sewer capacities at the time of development.

7. Provide a Conceptual Master Flood Study for Summerlin Village 24. Technical updates to the Summerlin Village 24 Flood Control Master Flood Study must be submitted to and approved by the Department of Public Works prior to the issuance of any site specific grading or building permits or the recordation of a Final Map, whichever may occur first. Additionally, specific village and/or site drainage plan/studies will be required with each individual pod or phase of development activity. If the Master Flood Study for Summerlin Village 24 does not conform to the Summerlin West Master Drainage Study, the developer will be required to update the Summerlin West Master Plan.

CONDITIONS – Continued:

8. A Master Traffic Impact Analysis for this overall site (including sections addressing impacts to the proposed roadway network based on the proposed maximum densities, proposed street widths, locations of turn lanes, Las Vegas Beltway Project impacts, proposed traffic signal locations, proposed multi-use trail corridors and a master pedestrian circulation plan including pedestrian/school crosswalks) shall be submitted to and approved by the Department of Public Works prior to the recordation of any maps dedicating public street right-of-ways. The Master Developer shall be responsible for its proportionate share of all related signal systems with construction and funding details to be contained in a written agreement to be developed within the Master Traffic Impact Analysis and acceptable to the Director of Public Works prior to or concurrent with the approval of the Master Traffic Impact Analysis. The Pedestrian Circulation section shall identify the location and width of all proposed pedestrian crossing signals (if any) and how each Village's pedestrian circulation plan integrates with adjoining development areas.

9. An update to the "Village" Traffic Impact Analyses may be required to be submitted to and approved by the Department of Public Works prior to the recordation of any maps subdividing any village site. The Village Traffic Impact Analyses shall include a section specifically addressing those subdivisions with single-point entries and provide an Access Analysis for those sites. The Village analyses shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to each village, if any; dedicate all areas recommended by the approved Village Traffic Impact Analyses. Phased compliance will be allowed if recommended by the approved Village Traffic Impact Analyses. No recommendation of the approved Village Traffic Impact Analyses or the Master Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

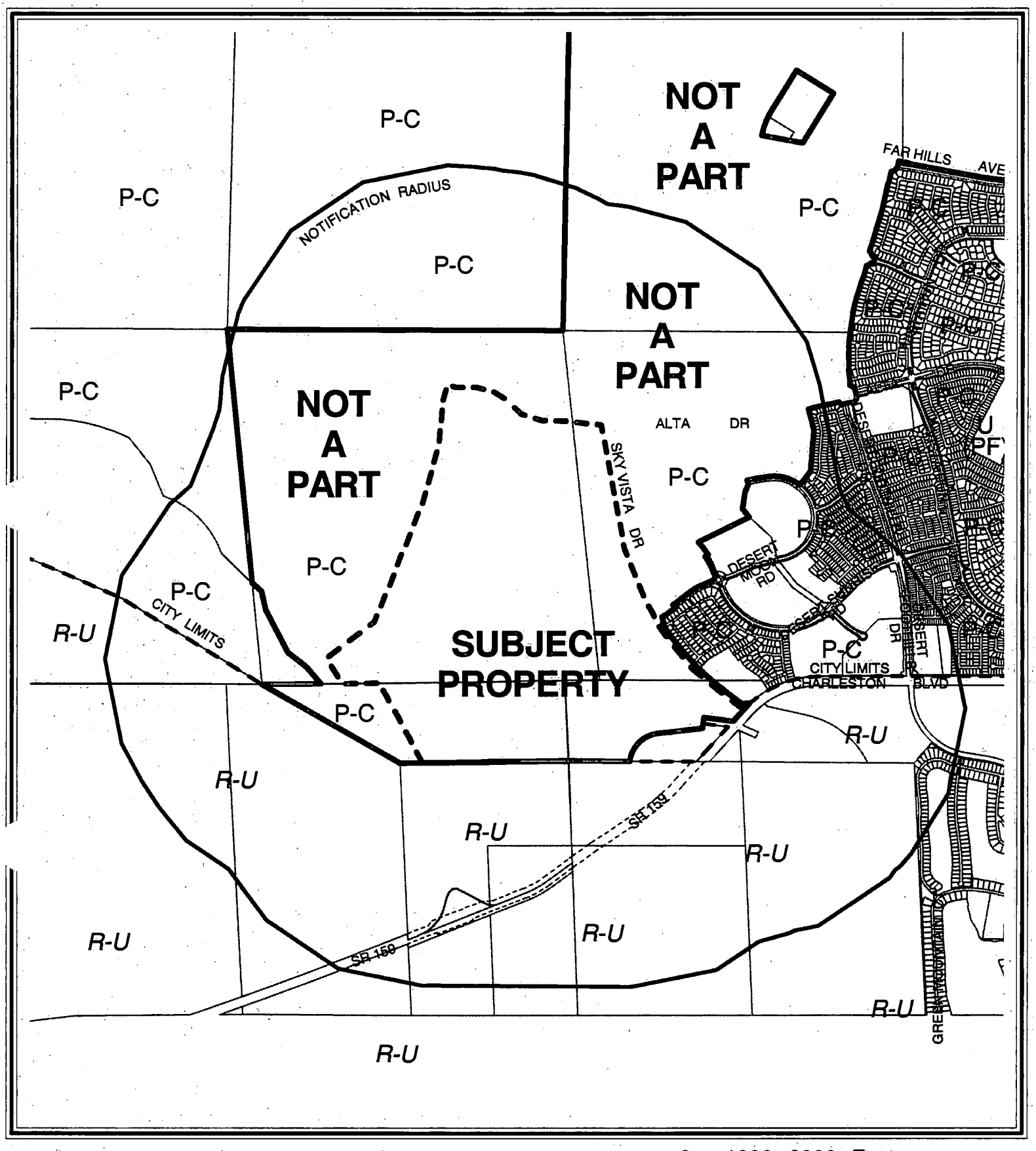
10. All landscaping within public rights-of-way or common areas shall be maintained by the Master Developer or his designee. An Encroachment Agreement shall be obtained prior to installation of any private improvements or landscaping within public rights-of-way. All installed landscaping, whether in public rights-of-way or within common area properties, shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and all adjacent, abutting street intersections.

CONDITIONS – Continued:

11. Provide appropriate easements for all public facilities (sewer, drainage, sidewalk, traffic signal, streetlighting, etc) as required by the Department of Public Works.

12. The developer shall submit an application to Amend the current Master Plan of Streets and Highways, as necessary, to allow the proposed development plan submitted with this rezoning application. The application, if required, to amend the Master Plan shall be submitted following approval of the Master Traffic Impact Analysis.

13. The approval of all Public Works related improvements shown on this rezoning map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted Summerlin and/or City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. We reserve the right to impose additional conditions of approval for each individual development site when such plans are known. We anticipate the need for additional conditions concurrent with approval of the Master Tentative Map(s) and/or Village Map(s) for this site.

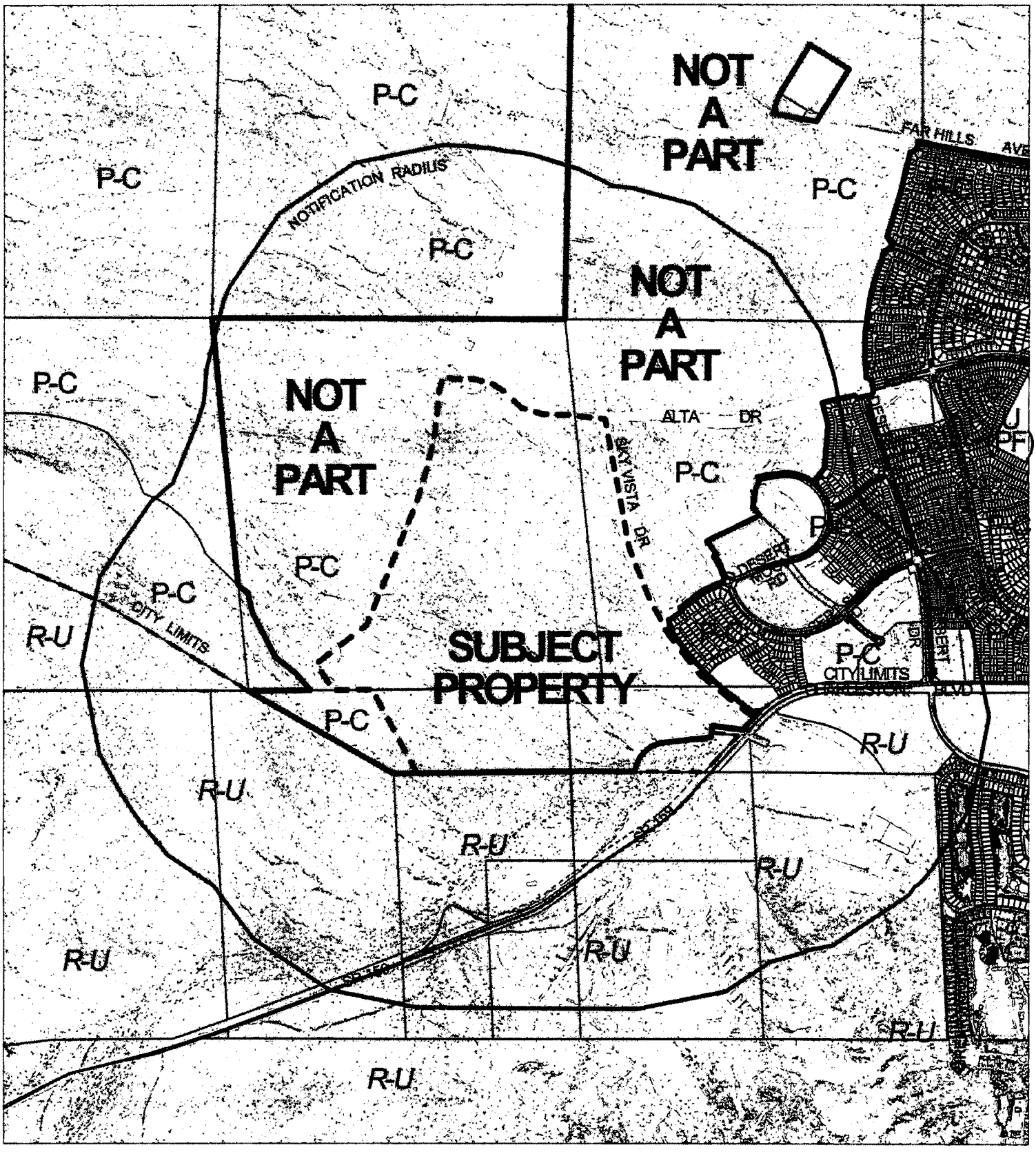


0 1000 2000 Feet

CASE: **MDR-3867**

RADIUS: 3500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



CASE: **MDR-3867**

RADIUS: 3500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 5, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MASTER DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - MDR-3867 - APPLICANT/OWNER: HOWARD HUGHES PROPERTIES

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. All development shall conform to the Summerlin Development Standards.

2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones excluding parks in this development.

3. For non-residential projects: Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

4. Prior to or concurrent with development of each parcel/village, appropriate right-of-way dedications, street improvements, drainage plan/study submittals, drainage improvements, sanitary sewer collection system extensions and traffic impact analyses including traffic mitigation plans along with signal participation schedules and pedestrian circulation plans may be required by the Department of Public Works. Comply with such requirements when imposed and/or when compliance is indicated.

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11. Provide appropriate easements for all public facilities (sewer, drainage, sidewalk, traffic signal, streetlighting, etc) as required by the Department of Public Works.

12. The developer shall submit an application to Amend the current Master Plan of Streets and Highways, as necessary, to allow the proposed development plan submitted with this rezoning application. The application, if required, to amend the Master Plan shall be submitted following approval of the Master Traffic Impact Analysis.

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** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

Request for a Master Development Plan Review for Summerlin Village 24 on 502.2 acres located adjacent to the west side of Sky Vista Drive, between Alta Drive and Charleston Boulevard.

B) Applicant's Justification

The applicant's justification letter states that the proposed "plan is in compliance with the General Development Plan, as accepted by the City of Las Vegas with the Summerlin West Annexation Development Agreement." The Plan is an enhancement of the General Development Plan providing detailed breakdowns and specific locations for residential development within the area. The Summerlin Design Review Committee has sanctioned the plan.

BACKGROUND INFORMATION

A) Previous Actions

01/27/97	The City Council approved a rezoning (Z-0119-96) to PC (Planned Community) for this site as part of larger overall request.
01/27/97	The City Council approved a Development Agreement (DA-0001-96) for this site as part of larger overall request.
03/25/04	The Planning Commission held this item in abeyance to the 04/08/04 Planning Commission Meeting to allow the applicant time to review the proposed conditions of approval.
03/25/04	The Planning Commission voted to hold this item in Abeyance in an effort to allow the applicant an opportunity to review the proposed Conditions of Approval. The application will be heard on the 04/08/04 Planning Commission meeting.
04/01/04	A meeting was held with the applicant and the Public Works Department and Planning and Development Department concerning the Conditions of Approval for MDR-3687. Results of the meeting are as follows:

1. Amend the language of condition #2, so as to not include park amenity zones within the turf prohibition.
2. Amend the language of condition #7 as to pertain to only to the Summerlin "Village #24" Flood Control Master Plan; and to require a revised Summerlin Flood Control Master Plan if "Village 24" does not conform to the existing projected plan.
3. Amend the language of condition #9 to read as "may" instead of "must."

04/08/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/pl)

B) Pre-Application Meeting

No comments resulted from the pre-application conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 502.2

B) Existing Land Use

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	County and Red Rock Conservation Area
East:	P-C (Planned Community)
West:	P-C [(Planned Community) Village 23A and 23B, The Paseos]

C) Planned Land Use

Subject Property:	SUM (Summerlin) MXU (Mixed Use)
North:	SUM (Summerlin) MXU (Mixed Use)
South:	County and SUM (Summerlin) MXU (Mixed Use)
East:	SUM (Summerlin) MXU (Mixed Use) and SF3 (Single Family Detached)
West:	SUM (Summerlin) MXU (Mixed Use)

D) Existing Zoning

Subject Property:	P-C (Planned Community)
North:	P-C (Planned Community)
South:	County and P-C (Planned Community)
East:	P-C (Planned Community)
West:	P-C (Planned Community)

E) General Plan Compliance

This project is designated P-C (Planned Community) within the Southwest Sector General Plan. Future land use designations to be determined from the Summerlin and Sun City Special Land Use Plan(s).

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Summerlin	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The proposed project conforms to the before mentioned Land Use Plans and is compatible with the surrounding existing land use designations.

Details of Applicants Request:

Land Use Designation	Gross Acres	Maximum Density Units/Acre
SF2 (Single Family Detached)	102.7	6.0
SF3 (Single Family Detached)	304.7	10.0
MF2 (Multi Family Medium Density)	64.6	21.0
COS (Community Open Space)	30.2	N/A
Total:	502.2	

Parcel Designation	Land Use	Acres (Gross)
A	**SF3**	**45.6**
B	**SF3**	**35.8**
C	**SF3**	**31.1**
D	**SF3**	**36.0**
E	**SF3**	**36.8**
F	**SF2**	**38.0**
G	**SF2**	**42.6**
H	**SF2**	**22.1**
I	**SF3**	**40.9**
J	**SF3**	**45.0**
K	**SF3**	**33.5**
L	**MF2**	**15.0**
M	**MF2**	**16.8**
N	**MF2**	**17.9**

ES-1	**MF2**	**14.9**
NP-1	**COS**	**10.5**
COS-1	**COS (PASEO)**	**3.1**
COS-2	**COS (PASEO)**	**2.2**
COS-3	**COS (PASEO)**	**5.2**
COS-4	**COS (PASEO)**	**9.2**

The applicant is requesting approval of a Master Development Plan Review for Village 24. The project consists of 502.2 gross acres and will contain a mix of residential, public, quasi-public and recreational land use descriptions.

Residential development will consist of approximately 11 single-family development parcels ranging in size from 45.6 acres to 22.1 acres, and 4 multi-family development parcels ranging in size from 17.9 acres to 14.9 acres. One parcel is designated as NF (Neighborhood Focus) and will likely be developed as a school. The applicant has indicated 5 parcels as being COS (Community Open Space). The applicant has addressed the issues of access to parcels F, G, and H in a letter explaining it will be resolved at time of the tentative map.

FINDINGS & ANALYSIS

According to the provisions of the Summerlin Development Standards, a Development Plan must be prepared for each Village in Summerlin and submitted to the City for review and approval. The Development Plan is required to identify the general location and size of the development parcels, establish uses and density ranges for each parcel, locate community open space areas and circulation systems for pedestrians and automobiles.

NOTICES MAILED 39 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MDR-3867** APN: 137-22-000-010

Name of Property Owner: The Howard Hughes Corporation

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Jeffrey S. Green KD

Print Name: Jeffrey S. Green

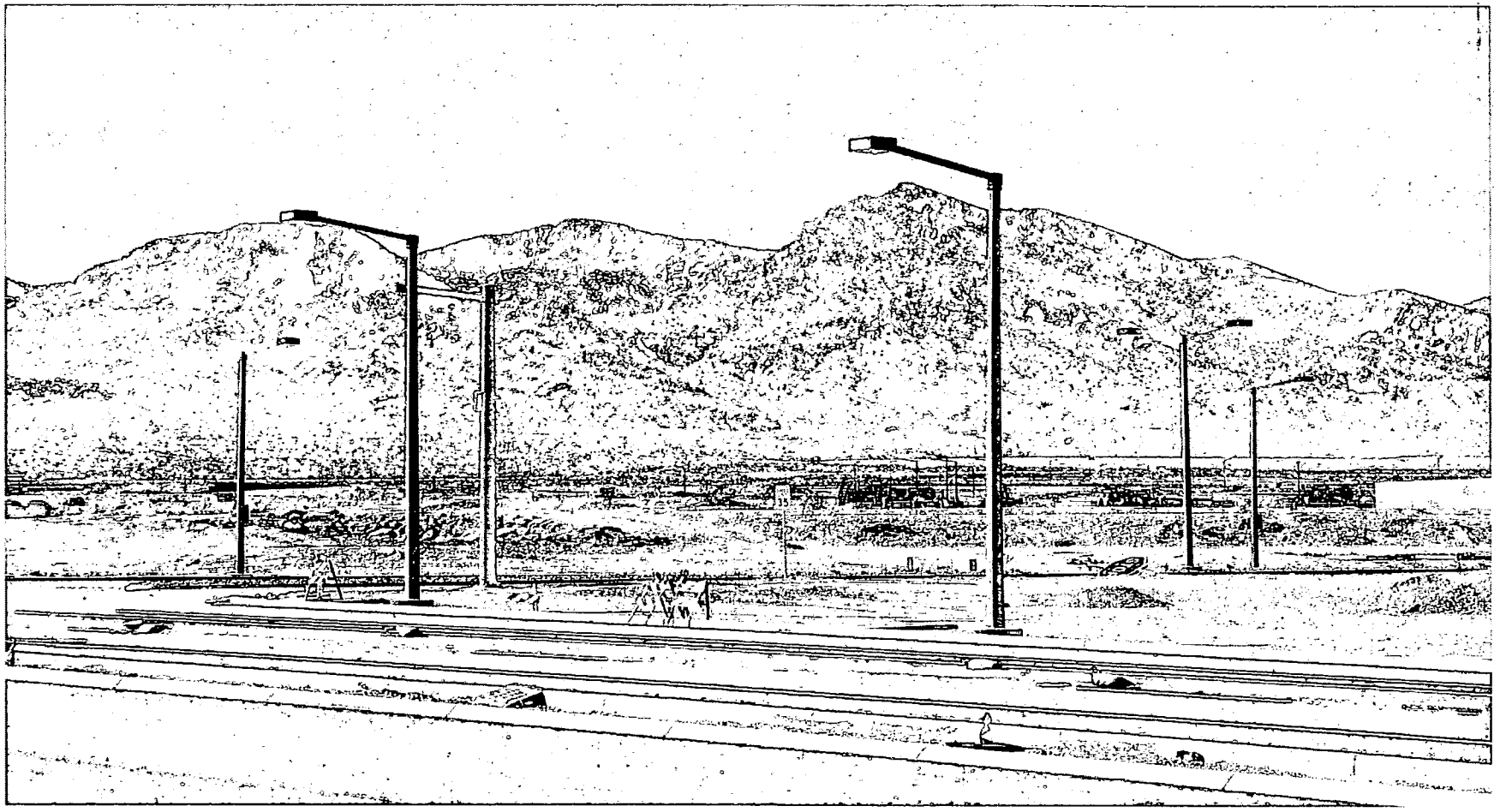
Subscribed and sworn before me

This 21 day of January, 2004

Angela K. Henderson

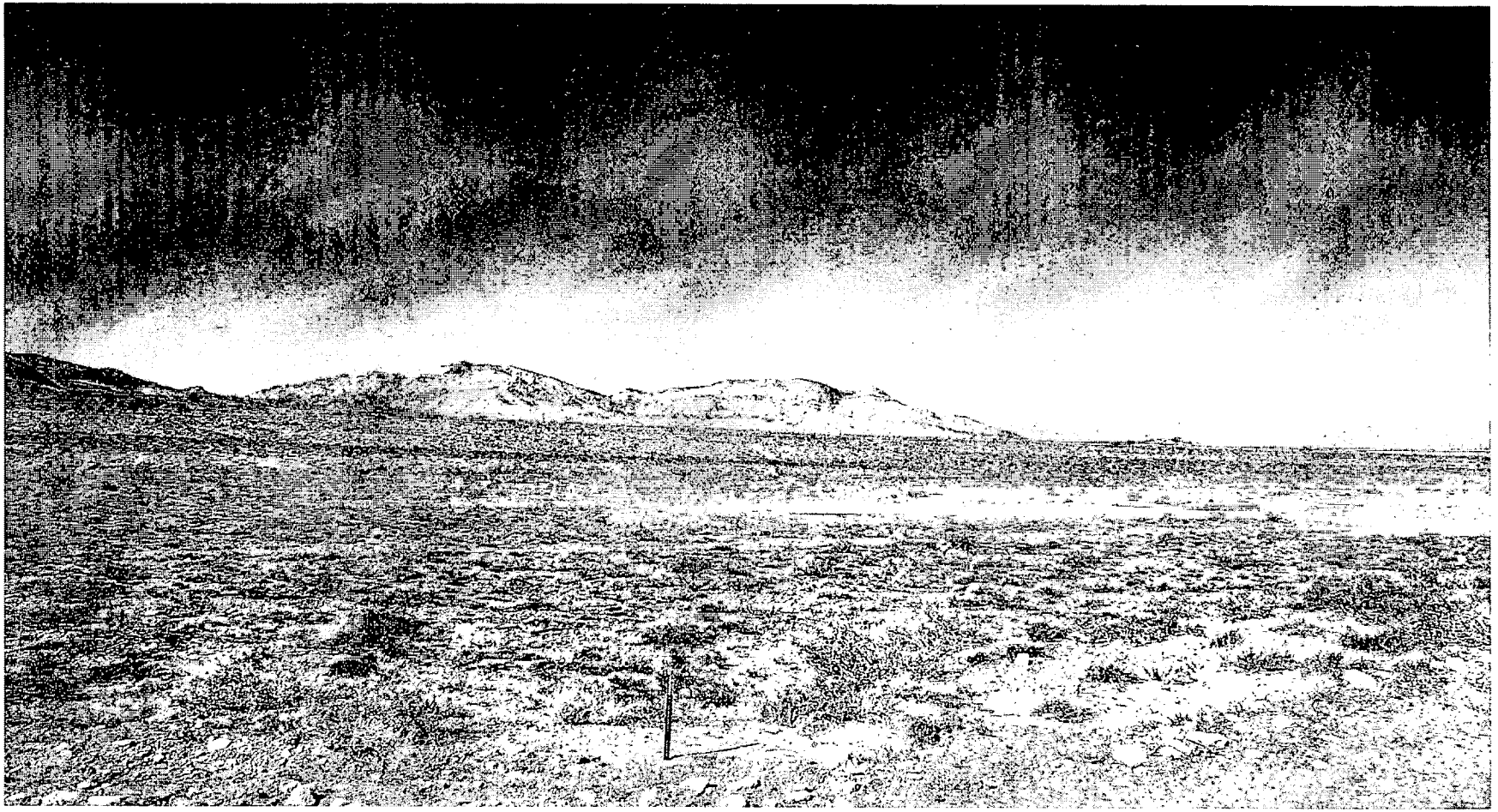
Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
ANGELA K. HENDERSON
No. 00-62470-1 My Appointment Expires May 1, 2004



MDR-3867 - APPLICANT/OWNER: HOWARD HUGHES PROPERTIES
WEST SIDE OF SKY VISTA DRIVE, BETWEEN ALTA DRIVE AND CHARLESTON BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

3/4/04



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