

S.V

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
JULY 10, 2007
4:00 P.M.

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME

DUPLICATE AUDIO CDS MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- 3 Bill No 2007-28 – Annexation No. ANX-20735 – Property location at 3829 Mountain Trail, Petitioned by: Louis and Vicki Richardson Trust; Acreage: 51 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by Councilwoman Brenda J Williams
4. Bill No. 2007-29 – Adds “permanent trade show facility” as a liquor licensing category. Proposed by: Mark Vincent, Director, Department of Finance and Business Services
- 5 Bill No. 2007-30 – Ordinance Creating Special Improvement District No 810 – Summerlin Village 23B. Sponsored by: Step Requirement
- 6 Bill No. 2007-31 – Levies Assessments for Special Improvement District No. 810 – Summerlin Village 23B. Sponsored by: Step Requirement
- 7 Bill No. 2007-32 – Ordinance Creating Special Improvement District No. 811 – Summerlin Village 24 Sponsored by: Step Requirement
8. Bill No. 2007-33 – Levies Assessments for Special Improvement District No. 811 – Summerlin Village 24. Sponsored by: Step Requirement
9. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited

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City of Las Vegas

10. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8 00 A M to 5:00 P M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting.

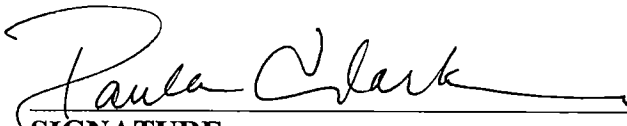
THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

AFFIDAVIT OF ELECTRONIC MAILING (email)
(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **3rd** day of **July, 2007**, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **10th** day of **July, 2007**, at **4:00 P.M.**, Las Vegas, Nevada; was electronically mailed (emailed) to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.




SIGNATURE

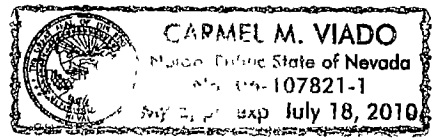
City Clerk
DEPARTMENT

Subscribed and sworn to before me this

3RD day of July, 2007



NOTARY PUBLIC in and for said County and State

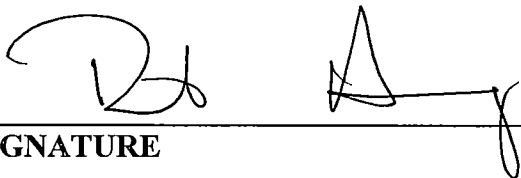


AFFIDAVIT OF POSTING
(Posting required under the provisions of NRS Chapter 241)

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

Robert Hussey, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **3rd** day of **July, 2007** at the hour of **10:00 A.M.** there were posted copies of a NOTICE, the attached of which is a true and correct copy of a **Recommending Committee Meeting** to be held on the **10th** day of **July, 2007**, at **4:00 P.M.**, Las Vegas, Nevada; to be posted on Public Bulletin Boards at the following locations:

1. City Clerk's Bulletin Board, 400 Stewart Avenue, 2nd Floor Skybridge (in the walkway area next to the entrance of the Human Resources Department)
2. Bulletin Board, City Hall Plaza, 400 Stewart Avenue (next door to Metro Records)
3. Las Vegas Library, 833 Las Vegas Blvd.
4. Clark County Government Center, 500 S. Grand Central Parkway
5. Grant Sawyer Building, 555 E. Washington Avenue



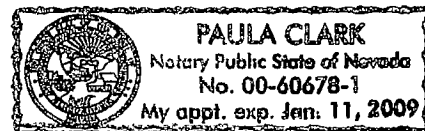
SIGNATURE

City Clerk
DEPARTMENT

Subscribed and sworn to before me this

3rd day of July, 2007

Paula Clark
NOTARY PUBLIC in and for said County and State



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
CALL TO ORDER

Minutes:

COUNCILWOMAN TARKANIAN called the meeting to order at 4:02 p.m (NOTE: Due to technical difficulties, a recess was taken from 4:10 to 4:19 p m.)

PRESENT: COUNCILMEMBERS TARKANIAN and ROSS

Also Present: DEPUTY CITY MANAGER STEVE HOUCHEMS, CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER



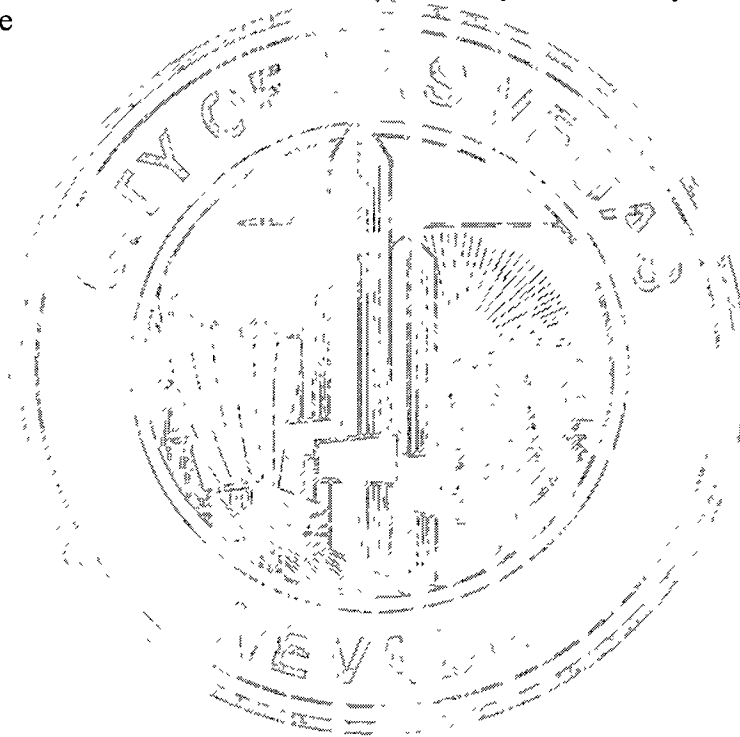
AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW

Minutes:

ANNOUNCEMENT MADE - Meeting noticed and posted at the following locations: City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Bulletin Board, City Hall Plaza (next door to Metro Records), Las Vegas Library, 833 Las Vegas Boulevard North, Clark County Government Center, 500 S. Grand Central Parkway, Grant Sawyer Building, 555 E. Washington Avenue



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-28 – Annexation No. ANX-20735 – Property location: at 3829 Mountain Trail; Petitioned by: Louis and Vicki Richardson Trust; Acreage: 51 acres; Zoned: R-E (County zoning), U (R) (City equivalent) Sponsored by: Councilwoman Brenda J. Williams

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located at 3829 Mountain Trail. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (August 10, 2007) is set by this ordinance.

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. 2007-28 and Location Map

Motion made by STEVEN D. ROSS to Approve as a Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0, Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED said this matter involves a routine annexation that is recommended for approval.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

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BILL NO. 2007-28

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-20735)

Sponsored by: Councilwoman Brenda J. Williams Summary: Annexes property described generally as located at 3829 Mountain Trail.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 20 South, Range 61 East, M.D.M., in the County of Clark, State of Nevada, being a portion of Lot 6 in Block 21 of EASTLAND HEIGHTS as shown on Book 2 of Plats, Page 38 of Clark County, Nevada Records, described as follows:

The west 100.00 feet of said Lot 6, together with the adjacent half street right-of-way of MOUNTAIN TRAIL (25.50 feet wide as measured from centerline thereof).

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

- 1 B. More than one-eighth (1/8) of the aggregate external boundaries of
2 the area are contiguous to the City;
- 3 C. The territory proposed to be annexed is not included within the
4 boundaries of another incorporated city or within the boundaries of
5 any unincorporated town as those boundaries existed as of July 1,
6 1983;
- 7 D. The City is eligible to annex the described territory since the
8 landowners have signed a petition constituting one hundred percent
9 (100%) of the owners of record of individual lots or parcels of land
10 within the annexation area.

11 SECTION 3: The City will provide police protection through the Las Vegas
12 Metropolitan Police Department, fire protection, street maintenance, and library services
13 immediately upon annexation. Garbage collection by the company franchised by the City
14 will also be provided immediately. The City sanitary sewer system will serve the proposed
15 annexation area. Any connection to or extension of this sewer line to serve the annexation
16 area shall be at the expense of the landowners. Other services, such as participation in the
17 City's recreational programs, special education classes and programs, public works planning,
18 building inspections, and other City services will also be available immediately. Utilities
19 such as gas, electricity, telephone, and water are provided by private utility companies and
20 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
21 sidewalks and street lights which are not in place at the time of annexation will be installed
22 in the presently developed areas upon the request of the property owners and at their expense
23 by means of special assessment districts. Such improvements will be extended into the
24 undeveloped areas as development takes place and the need therefor arises, and will be
25 located according to the needs of the area at that time. Such installations will also be made
26 at the expense of the property owners, either by means of special assessment districts or as
27 prerequisites to the approval of subdivision plats, building permits or other land use or
28 development applications.

1 SECTION 4: The annexation of the described territory shall become
2 effective on the 10th day of August, 2007, and on that date the City will have the funds
3 appropriated in sufficient amount to finance the extension into the described territory of
4 police protection, fire protection, street maintenance, street sweeping, and street lighting
5 maintenance.

6 SECTION 5: The described territory, together with the inhabitants and
7 property thereof, shall, from and after the 10th day of August, 2007, be subject to all debts,
8 laws, ordinances and regulations in force in the City and shall be entitled to the same
9 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
10 levied by the City.

11 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
12 an accurate map or plat of the described territory and to record the map or plat, together with
13 a certified copy of this ordinance, in the office of the County Recorder of Clark County,
14 Nevada, which recording shall be done prior to the 10th day of August, 2007.

15 SECTION 7: The described territory, which previously has been zoned R-E
16 (County of Clark classification), is hereby classified as U (R) (City of Las Vegas
17 classification), which is deemed to be the City equivalent of the County classification.

18 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
19 clause of phrase in this ordinance or any part thereof, is for any reason held to be
20 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
21 decision shall not affect the validity or effectiveness of the remaining portions of this
22 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
23 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
24 phrase thereof irrespective of the fact that any one or more sections, subsections,
25 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
26 or ineffective.

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SECTION 9: All ordinances or parts of ordinances, 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 _____, 2007.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, City Clerk

APPROVED AS TO FORM:

Val Steed 6-6-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 _____ day of _____, 2007, and referred to the following committee
3 composed of _____ and _____ for recommendation,
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2007, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

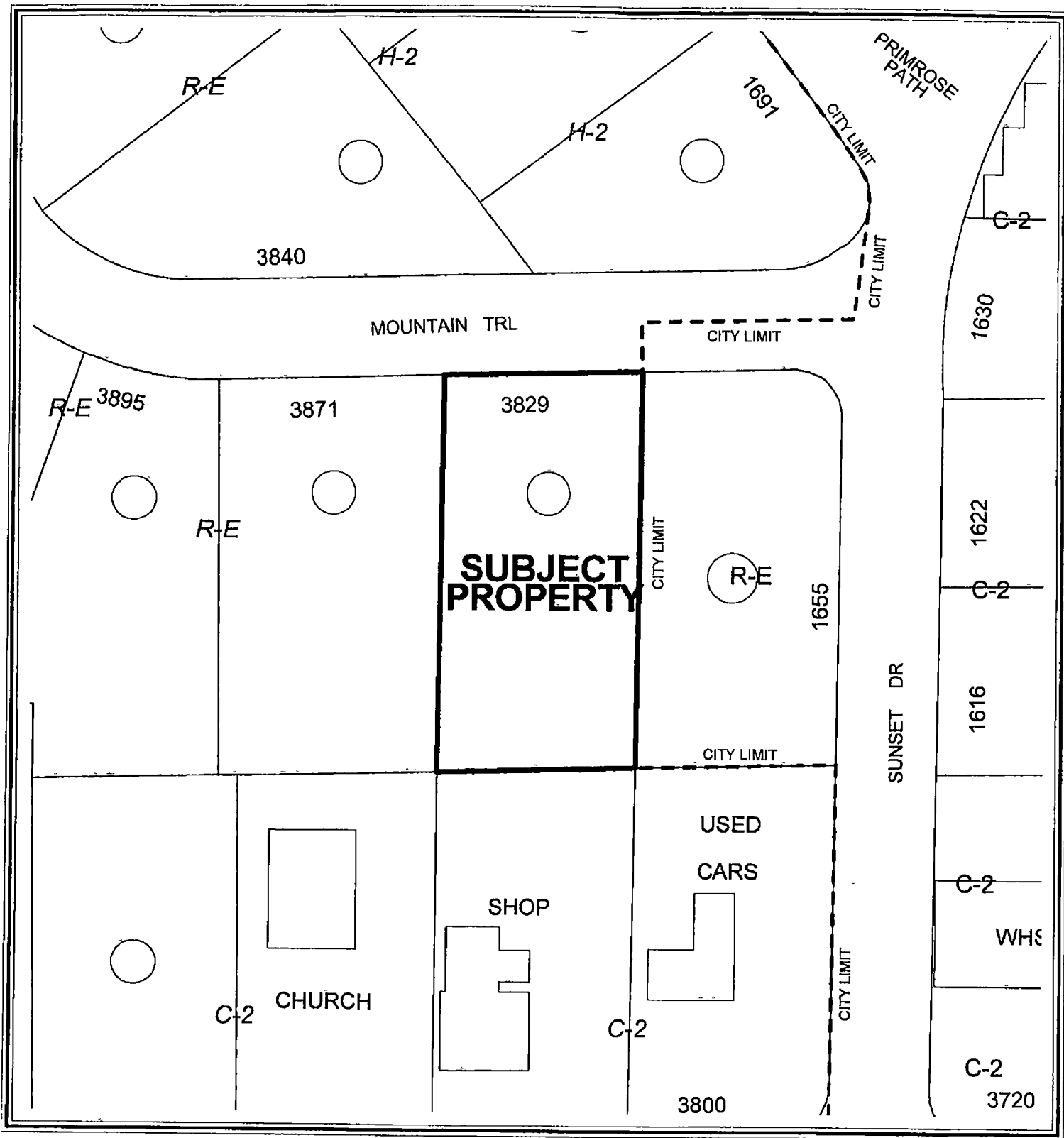
10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY BRIDGES, City Clerk
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CASE: ANX-20735

0100 Feet



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-29 – Adds “permanent trade show facility” as a liquor licensing category.
Proposed by: Mark Vincent, Director, Department of Finance and Business Services

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill creates a new alcoholic beverage licensing category for facilities that are conducting permanent trade show businesses, at which members of the general public are not permitted to attend. These facilities must have a minimum of two hundred-fifty thousand square feet of floor space used primarily to conduct permanent trade shows. Trade show exhibitors may serve alcoholic beverages at their respective exhibit sites within a permanent trade show facility if they first obtain a permit from the City issued under the facility’s alcohol beverage license.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2007-29
2. Business Impact Statement

Motion made by STEVEN D. ROSS to Approve as a Do Pass with a First Amendment

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED deferred to JIM DiFIORE, Manager of Business Services, for an explanation on why this category is being added.

RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

MR. DiFIORE reported that the World Market Center and their trade show representatives were coming before the Council for special event alcoholic beverage licenses. Staff was administratively approving liquor caterer licenses for the one-week trade shows during the months of July and January, which became very cumbersome. Hence, staff met with attorneys for the World Market Center and resolved that the way to handle the alcohol aspect would be to issue an umbrella license, which resulted in the classification of "permanent trade show facility." Bill No. 2007-29 requires that each exhibitor come forward and pay a \$25 permit fee to serve or sell alcohol during the one-week events. Because the exhibitors are from out of state and in town only twice a year for the one-week events, he recommended a first amendment to exempt the exhibitors from the work card requirements, as the process is too cumbersome for such a short timeframe of employment.

COUNCILWOMAN TARKANIAN confirmed with MR. DiFIORE that the World Market Center is the only business that presently qualifies for this licensing category. MR. DiFIORE added that others might be forthcoming, such as the proposed World Jewelry Center.

COUNCILMAN ROSS noted his concern about possibly not requiring TAM cards for those that serve liquor and asked if the new requirement will be to pull a license in order to serve liquor. MR. DiFIORE answered that the licensees will be responsible for making sure that the exhibitors pouring the alcohol are complying with the associated requirements. COUNCILMAN ROSS said he understands the intent, but emphasized that he does not want anyone to escape the responsibility. He then asked if one person will be held responsible for all those pouring alcohol, to which MR. DiFIORE replied that World Market Center has closed trade shows that require the exhibitors to undergo a stringent process. Also, alcohol awareness requirements will fall under the purview of the State Taxation Department as of July 1, 2007.

CHIEF DEPUTY CITY ATTORNEY STEED indicated an amendment will be crafted to include the changes recommended by MR. DiFIORE.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

1 **BILL NO. 2007-29**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ADD "PERMANENT TRADE SHOW FACILITY" AS A LIQUOR
4 LICENSING CATEGORY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: Mark Vincent, Director Summary: Adds "permanent trade show
6 Department of Finance and Business Services facility" as a liquor licensing category.

7 **THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN**
8 **AS FOLLOWS:**

9 **SECTION 1:** Title 6, Chapter 50, Section 20, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.50.020:** Unless the context otherwise requires, the scope of all words in this Chapter shall be
12 liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following
13 words shall have the meaning ascribed to them as follows:

14 "Alcoholic beverage" includes alcohol, spirits, liquor, wine and beer, and every liquid or solid which
15 contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of
16 alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or
17 combined with other substances. Any liquid or solid containing beer or wine in combination with any
18 other alcoholic beverage shall not be construed to be beer or wine.

19 "Art gallery or art studio" means a business establishment where the general public is invited to view
20 artistic exhibitions, presentations and performances.

21 "Banquet facility" means any business establishment which is rented by individuals or groups to
22 accommodate private functions such as banquets, weddings, anniversaries, and other similar
23 celebrations. Such establishment may or may not include:

- 24 (1) Kitchen facilities for the preparation or catering of food.
- 25 (2) Outdoor gardens or reception facilities

26 "Beer" means any alcoholic beverage obtained by the fermentation of any infusion or decoction of
27 barley, malt, hops or similar product, or any combination thereof, in water.

28 "Commercial center" means a concentration of retail stores that:

- (1) Contains at least eighty thousand square feet of retail space enclosed within a building

1 or buildings;

2 (2) Contains at least one anchor retail store of at least twenty thousand square feet;

3 (3) Includes a parking lot common to the retail stores; and

4 (4) Is situated on at least fifteen gross acres of land.

5 “Convenience store” means a retail establishment other than a drugstore, which:

6 (1) Offers for sale prepackaged food products, household items and other goods commonly
7 associated with those products and items, provided that not more than thirty percent of its retail
8 inventory is devoted to alcoholic beverages; and

9 (2) Contains not less than one thousand-two hundred square feet, nor more than five
10 thousand square feet of floor space devoted to retail sales display, exclusive of warehouse and office
11 areas.

12 “Convention facility” means a structure which has at least 100,000 square feet of floor space utilized
13 for scheduling, hosting or accommodating a convention, trade show or temporary event, whether the
14 activity is open or closed to the general public. For purposes of this Chapter, the term includes a
15 stadium facility that is operated in conjunction with a convention facility[.], but does not include a
16 permanent trade show facility.

17 “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained
18 from the fermentation of the natural contents of fruits or other agricultural products containing natural
19 or added sugar, which contains not more than ten percent of alcohol by volume.

20 “Downtown entertainment overlay district” means that area of the City bounded by Ogden Avenue
21 on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east.

22 “Drugstore” means a business establishment which occupies the entire business premises of a
23 building, or a portion of the business premises of a building which is segregated physically or spatially
24 from the rest of the business premises, where a State licensed pharmacist is present at all times the
25 pharmacy operation is open for the purpose of compounding or dispensing, or both compounding and
26 dispensing of drugs and medicines, and where a grill and fountain service is permitted as well as the
27 retail sales of sundries, including stationery, magazines, cosmetics and health items.

28 “Dues” means fees paid on a monthly, quarterly, semiannual or annual basis for the right to participate

1 in the planning of activities and the utilization of services offered by a nonprofit corporation,
2 association or organization. The term “dues” does not include fees paid for the purchase of drinks,
3 meals or other services offered by a nonprofit corporation, association or organization.

4 “Gift basket” means a receptacle or container that may be filled with food items or novelty items, and
5 alcoholic beverages in sealed or corked containers in quantities not greater than 25.4 ounces
6 (approximately 1.79 pints), measured in the English system of weights and measures, or in quantities
7 not greater than seven hundred fifty milliliters measured in the metric system of weights and measures.

8 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human
9 consumption; articles used in the preparation of food; and household supplies.

10 “Grocery store” means a business establishment which occupies all of the business premises of a
11 building or a portion of the business premises of a building which is segregated physically or spatially
12 from the rest of the business premises, and which contains more than five thousand square feet of floor
13 space for the display and sale of groceries, exclusive of warehouse and office space.

14 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are sold
15 for consumption in specified areas only.

16 “Liquor caterer” means a person who dispenses, serves or sells alcoholic beverages only for
17 consumption on the premises where the same are dispensed, served or sold during the times, dates and
18 places specified by permit.

19 “Liquor store” means a specialty retail store which does not allow entry to minors and which deals
20 exclusively in alcoholic liquors and related items including magazines, newspapers and packaged
21 snack foods.

22 “Malt beverage” means beer, ale, porter, stout and other similar fermented beverages of any name or
23 description, brewed or produced from malt, wholly or in part.

24 “Meal” means an assortment of food listed on a menu or otherwise offered as entrees, appetizers, side
25 items and desserts available at various hours of the day. The term “meal” does not include food listed
26 on a menu or otherwise offered that consists solely of sandwiches or salads, or both sandwiches and
27 salads.

28 “Nonprofit club” means any nonprofit corporation, association or organization which has been in

1 continual existence for at least two years prior to applying for a license under this Chapter, and:

2 (1) Is organized or qualified to do business and operate under the laws of the State;

3 (2) Has tax-exempt status granted by the United States Internal Revenue Service;

4 (3) Has a membership of at least one hundred members who are twenty-one years of age
5 or older and who pay dues to the nonprofit corporation, association, or organization; and

6 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it
7 owns or leases.

8 “Off-sale” means the sale of alcoholic beverages in original sealed or corked containers for
9 consumption off the premises where the same are sold.

10 “On-sale” means the sale of alcoholic beverages for consumption on the premises where the same are
11 sold.

12 “Permanent trade show” means an event held at a permanent trade show facility where products, goods
13 or wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for the
14 wholesale of or offering for wholesale of such products, goods or wares exclusively to members of
15 a specific industry or industries.

16 “Permanent trade show facility” means a parcel or contiguous parcels of land with one or more
17 buildings located thereon consisting of a minimum of two hundred-fifty thousand square feet of floor
18 space used primarily to conduct one or more permanent trade shows annually, at which members of
19 the general public are not admitted.

20 “Restaurant” means a place which is regularly and in a bona fide manner used and kept open for the
21 service of meals to guests for compensation; and which has suitable kitchen facilities connected
22 therewith, containing conveniences for cooking an assortment of foods which may be required for
23 ordinary meals.

24 “Restaurant service bar” means a bar wherein alcoholic beverage drinks are prepared for service only
25 at tables in a restaurant for consumption only in connection with a meal on the premises where the
26 same is sold.

27 “Sale” means the act of selling and, in connection therewith, “sell” means, for compensation or any
28 other private or public business purpose at a commercial location, to sell, serve, give away, or

1 distribute; or to cause or permit to be sold, served, given away or distributed or to possess with the
2 intent to sell, serve, permit consumption, give away or distribute; or to solicit or receive orders to sell,
3 serve, give away or distribute

4 "Specialty merchandise store" means a retail store located within a commercial center that:

5 (1) Has at least eighteen thousand square feet of gross floor area;

6 (2) Has at least eleven thousand five hundred square feet of floor space dedicated to the
7 sale and display of furniture, glassware, kitchenware and other household goods;

8 (3) Has at least three thousand six hundred square feet of floor space dedicated to the sale
9 and display of gourmet foods and nonalcoholic beverages; and

10 (4) Maintains an inventory of beer, wine and coolers with a wholesale value of at least
11 twenty-five thousand dollars.

12 "Supper club" means a restaurant and bar operation with alcoholic beverage sales wherein the bar area
13 is separated from the restaurant area by a barrier sufficient to prevent access to the bar area by minors
14 and the restaurant operation is the principal portion of the business.

15 "Wedding chapel" means a business establishment that is licensed to perform marriages in accordance
16 with State law.

17 "Wholesale dealer" or "wholesaler" means a person who sells alcoholic beverages for the purposes
18 of resale.

19 "Wine" means any alcoholic beverage, other than beer, obtained by the fermentation of the natural
20 contents of fruits or other agricultural products containing natural or added sugar, which contains not
21 more than twenty-two percent of alcohol by volume.

22 SECTION 2: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
23 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
24 6.50.175, reading as follows.

25 **6.50.175:** (A) A permanent trade show facility alcoholic beverage license authorizes the sale
26 of alcoholic beverages for consumption on the premises of a permanent trade show facility, provided
27 the condition set forth in Subsection (B) is satisfied.

28 (B) If requested by the Director or Metro on an event by event basis, the licensee

1 shall require that alcoholic beverages be sold and consumed only in a segregated and secured area
2 wherein only persons twenty-one years of age or older are permitted to enter.

3 SECTION 3: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,
4 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
5 6.50.355, reading as follows:

6 **6.50.355:** (A) An exhibitor at a permanent trade show shall not sell alcoholic beverages at his
7 or her exhibit without first securing and maintaining an unexpired exhibitor alcoholic beverage permit
8 issued by the Department under a permanent trade show facility alcoholic beverage license.

9 (B) Permits shall not be issued by the Department without the written consent of
10 the permanent trade show facility alcoholic beverage licensee of the facility where the exhibit is
11 located.

12 (C) Permit applications shall be made on forms provided or approved by the
13 Department and filed with the Department by the permanent trade show facility alcoholic beverage
14 licensee not later than thirty days prior to the proposed event unless otherwise authorized by the
15 Director or his or her designee upon a showing of the impracticability of the licensee's compliance
16 with the advance filing requirement.

17 (D) The permit application shall set forth the following information and
18 documentation:

19 (1) Name and address of the applicant;
20 (2) Dates of the permanent trade show;
21 (3) Name and address of the permanent trade show facility where the
22 permanent trade show will be held;

23 (4) Written confirmation by the permanent trade show facility alcoholic
24 beverage licensee at the above-named permanent trade show facility that it consents to the applicant
25 being granted a permit under its alcoholic beverage license; and

26 (5) Types of alcoholic beverages to be served.

27 (E) Each event requires a separate permit.

28 (F) A nonrefundable fee of twenty-five dollars for each permit requested must be

1 paid when the application for a permit is filed.

2 (G) Permit applicants shall not be subject to the background and suitability approval
3 requirements of LVMC Chapter 6.06 and the alcohol awareness training requirements of this Chapter,
4 but shall comply with all other provisions of this Chapter that are not inconsistent with the provisions
5 of this Section.

6 (H) Applicants shall sell alcoholic beverages only at the locations within a
7 permanent trade show facility and on the dates designated in their permits.

8 (I) The permanent trade show facility alcoholic beverage licensee shall be
9 responsible to monitor all the exhibitors who are issued permits under its alcoholic beverage license
10 pursuant to this Section to ensure compliance with this Chapter.

11 (J) Not later than three days prior to a permanent trade show the Department shall
12 provide the facility licensee with the approved permits for distribution to the applicants with the
13 requirement that the applicants post such permits at their respective exhibit sites and that the facility
14 licensee maintain at the facility premises a master list of the approved permits.

15 SECTION 4: Title 6, Chapter 50, Section 360, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.50.360:** Each licensee shall pay to the Department the license fees set forth in the following
18 schedule:

	Semiannual	Original New
(A) Banquet facility	\$500	\$20,000
(B) Beer/wine/cooler art event on-sale	300	1,000
(C) Beer/wine/cooler on-sale	300	1,000
(D) Beer/wine/cooler off-sale	600	2,000
(E) Beer/wine/cooler on-off-sale	600	2,000
(F) Brew/pub/tavern	1,200	60,000
(G) Convention facility	1,200	60,000
(H) Gift basket limited	300	1,000
(I) Gift shop limited	500	2,500
(J) Grocery store internet sale	500	2,500

1	(K)	Hotel lounge bar	1,200	60,000
2	(L)	Keg beer	500	2,500
3	(M)	Liquor caterer	500	2,500
4	(N)	Nonprofit club general	200	1,000
5	(O)	Nonprofit club restaurant service bar	100	500
6	(P)	Package	750	20,000
7	(Q)	<u>Permanent trade show facility</u>	<u>2,400</u>	<u>60,000</u>
8	[(Q)] (R)	Restaurant service bar	600	30,000
9	[(R)] (S)	Supper club	800	40,000
10	[(S)] (T)	Tavern	1,200	60,000
11		Plus: fee for each additional bar	900	
12	[(T)] (U)	Tavern-limited	800	20,000
13	[(U)] (V)	Urban lounge	1,000	50,000
14	[(V)] (W)	Wholesale general	1,000	5,000
15	[(W)] (X)	Wine, beer, cordial, liqueur tasting	600	2,000

15 Each special event general licensee shall pay a license fee of seventy-five dollars per day.

16 Each special event beer/wine/cooler licensee shall pay a license fee of fifty dollars per day.

17 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
18 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
19 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
20 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
21 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
22 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
23 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
24 invalid or ineffective.

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SECTION 6: 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 _____, 2007.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, City Clerk

APPROVED AS TO FORM:

Jerry G. Bellis 6-6-07
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2007, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2007, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:
16
17 _____
18 BEVERLY BRIDGES, City Clerk

19 F:\CMORGAN\CIVIL\agenda items\2007\6-20-07\2007-29 vpd

**BUSINESS IMPACT STATEMENT
BILL NO. 2007-29**

(Adds “permanent trade show facility” as a liquor licensing category.)

The following business impact statement was prepared pursuant to NRS 237.090 to address the proposed impact of Bill No. 2007-29, that will add “permanent trade show facility” as a liquor licensing category.

1. Description of the number of and manner in which comments was solicited from affected businesses, a summary of their response and explanation of the manner in which other interested persons may obtain a copy of the summary.

Comments solicited by: Mailing a notice of the proposed changes to City’s alcohol beverage code to the Nevada Tavern Owners Association

No comments were received in response to the above mailing

A summary of the response is available at:

City of Las Vegas Finance and Business Services Department
400 Stewart Avenue, 3rd Floor,
Las Vegas, Nevada 89101

2. Estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects: NRS 237.090 (1)(b).

Adverse effects: None. Other than additional competition, this Bill will not have adverse economic effects on businesses.

Beneficial effects: Currently, trade shows sell alcoholic beverages through the use of liquor caterers. The permanent trade show facility liquor license being proposed by this Bill will permit the facility licensee to be licensed for alcoholic beverage sales at the facility. Exhibitors at shows may also be issued permits to sell alcoholic beverages at their exhibits under the facility’s alcoholic beverage license. The general public will not be permitted to attend permanent trade shows.

Direct effects: N/A

Indirect effects: N/A

3. Description of the methods considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used: (Include whether the following was considered: simplifying the proposed rule; establishing different standards of compliance for a business; and if applicable, modifying a fee or fine set forth in the rule so that a business could pay a lower fee or fine.) NRS 237.090(1)(c)

Different standards of compliance. Exhibitors at permanent trade show facilities (Facility) generally are from other states and countries. Accordingly, it is difficult for them to apply for separate liquor licenses and attend alcohol training awareness training classes prior to trade shows. This Bill waives these requirements provided the exhibitor applies for and is issued a permit by the City under the permanent trade show facility's alcoholic beverage license. The permit application process is facilitated by allowing exhibitors to submit their permit applications to the Facility operator, who in turn files them with the City at least thirty days prior to a show. Once issued, the City delivers the permits to the Facility operator for distribution to the exhibitors. The Facility operator is responsible to monitor all the exhibitors who are issued permits to ensure compliance with the City's alcoholic beverage regulations.

4. The governing body estimates that the annual cost to the local government for enforcement of the proposed rule is: NRS 237.090(1)(d)

Approximately \$5,000 in salaries and benefit costs

5. (If applicable, provide the following:) The proposed rule provides a new fee or increases an existing fee and the total annual amount expected to be collected is: NRS 237.090(1)(e) \$4,800.00

The money generated by the new fee or increase in existing fees will be used by the local government to General fund usage which pays for enforcement of City Code Chapter 6.50, traffic, street maintenance, staffing resources, etc.

6. (If applicable, provide the following:) The proposed rule includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity. The following explains which such duplicative or more stringent provisions are necessary. NRS 237.090(1)(f)

N/A

Date: June 6, 2007

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-30 – Ordinance Creating Special Improvement District No. 810 – Summerlin Village 23B. Sponsored by: Step Requirement

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount: \$16,400,000.00

Funding Source: Capital Projects Fund – Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer, and water main projects. Costs will be recovered over a 30 year period through the levy and collection of special assessments.

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. 2007-30

Motion made by STEVEN D. ROSS to Approve Items 5 through 8 as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

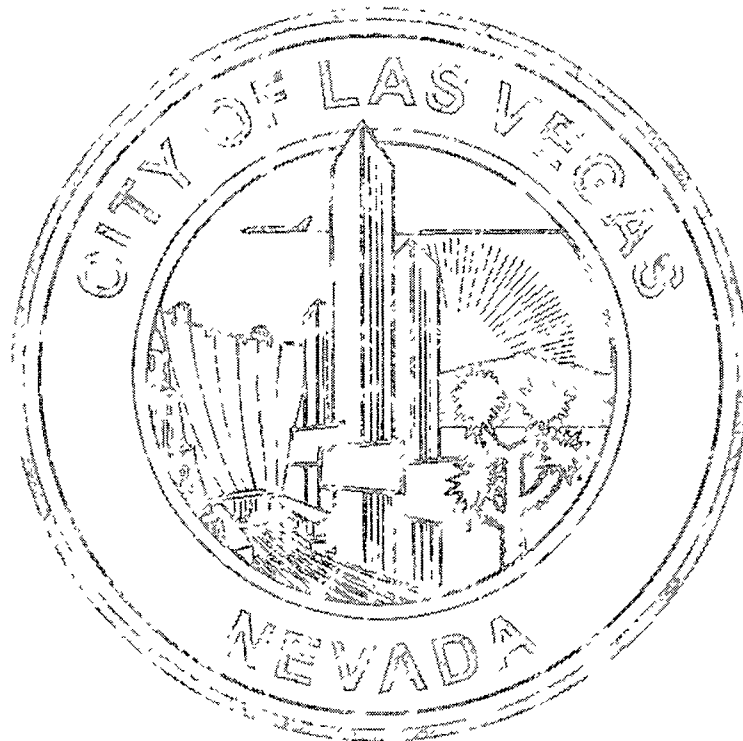
Before consideration of Items 5 through 8, COUNCILMEMBER ROSS discussed with CHIEF DEPUTY CITY ATTORNEY STEED the possibility of combining matters that are straightforward and routine, such as those involving Items 5 through 8. CHIEF DEPUTY CITY ATTORNEY advised that the Committee could hear, make a motion and vote on such matters together, as long as members of the public are given the opportunity to speak on any item within the group.

COUNCILWOMAN TARKANIAN declared the Public Hearing open for Items 5 through 8.

RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

JORGE CERVANTES, Public Works, gave an overview of the improvements for Items 5 through 8, as described in the Purpose/Background section for each item.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed for Items 5 through 8.



Summary – An ordinance creating the City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B), ratifying action taken by City officers toward the creation of such District, and providing other matters related thereto.

BILL NO. 2007-30

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 810 (SUMMERLIN VILLAGE 23B); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of City of Las Vegas, Nevada (the “City”), deems it necessary to create the City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project and water project (collectively, the “Project”), and to defray the entire cost and expense of the Project by special assessments, according to benefits levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”), there has previously been presented to the Council a written petition from the Howard Hughes Corporation, a Delaware Corporation (the “Developer”), requesting the City to initiate the formation of the District and the acquisition and improvement of the Project and to issue bonds and levy assessments and requesting the City to proceed with certain actions required by the Act; and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the Council and the officers of the City have done or caused to be done all things necessary and preliminary to the creation of the District, including but not limited

to the filing by the City Engineer (the "Engineer") with the City Clerk of an accurate estimate of cost, full and detailed plans and specifications which comply with NRS 271.710(3)(b), an assessment plat and map and an assessment roll, and the Council now desires to authorize the Project by this ordinance.

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. 810 Creation Ordinance" (this "Ordinance").

Section 2. There shall be, and hereby is, created in the City an improvement district designated as the "City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B)" for the purpose of acquiring and improving the Project, as more particularly described below. The Council, pursuant to NRS 271.325(1), has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of the District.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 3. The Project, which is hereby ordered to be acquired and improved, shall be located within the boundaries of the District and shall be as shown on the full and detailed plans and specifications for the District filed with the City Clerk. The kind and location of the Project (without mentioning minor details) is as follows:

The Project consists of the acquisition and construction of certain improvements within the District to include streets, sanitary sewers, storm sewers, and water mains, in and along the property described in Section 4, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment) as set forth below. For the purposes of this section, the following terms have the following meanings:

Rough Grading – Includes the cost of rough grading for the full width of future roadway improvements including rough grading of landscape area to the

developer property line and required miscellaneous demolition of existing improvements.

Improvements – Includes costs of on-site waterlines, sewer, and storm drain associated with a roadway segment and all appurtenances (hydrants, sleeves, irrigation meters, manholes, service main extensions to the property line, inlets, RCP, box culverts, and so forth) as well as subgrade preparation, paving, curbs for the roadway, and striping/signage.

Street Lights – Includes the cost of trenching, conduit, pullboxes, service points, and transformers for street lights and street light installation for a particular road segment. These improvements also include, where applicable, costs for future traffic signal poles when installed for use as the street light pole at applicable intersections, including associated conduit, and pull boxes.

Final Paving – Includes the cost of the final paving for a roadway segment, including final striping, valve/manhole adjustments and signage adjustments. Final Paving is required only on arterial roadways. Final paving may be placed at the time of rough grading and improvements.

Road projects, which have been segmented into subprojects, are designated by a suffix indicating the following:

- “A” Rough Grading and Improvements
- “B” Street Lights
- “C” Final Paving

Interior Projects

Project 1A, Spoke “B” Road: Desert Foothills Drive to Fox Hill Drive

This project consists of rough grading and improvements to Spoke “B” Road for the 2,936-foot roadway segment between Desert Foothills Drive and Fox Hill Drive.

Project 1B, Spoke “B” Road: Desert Foothills Drive to Fox Hill Drive

This project consists of street lights on Spoke “B” Road from Desert Foothills Drive to Fox Hill Drive.

Project 2A, Fox Hill Drive: Far Hills Avenue to Spoke “B” Road

This project consists of the rough grading and improvements to Fox Hill Drive for the 926-foot roadway segment between Far Hills Avenue and Spoke “B” Road.

Project 2B, Fox Hill Drive: Far Hills Avenue to Spoke “B” Road

This project consists of street lights on Fox Hill Drive from Far Hills Avenue to Spoke “B” Road.

Project 3A, Fox Hill Drive: Spoke “B” Road to Alta Drive

This project consists of rough grading and improvements to Fox Hill Drive for the 4,772-foot roadway segment between Spoke “B” Road and Alta Drive.

Project 3B, Fox Hill Drive: Spoke “B” Road to Alta Drive

This project consists of street lights on Fox Hill Drive from Spoke “B” Road to Alta Drive.

Perimeter Projects

Project 4A, Far Hills Avenue: Desert Foothills Drive to Fox Hill Drive

This project consists of rough grading and improvements to Far Hills Avenue for the 2,113-foot roadway segment between Desert Foothills Drive and Fox Hill Drive.

Project 4B, Far Hills Avenue: Desert Foothills Drive to Fox Hill Drive

This project consists of street lights on Far Hills Avenue between Desert Foothills Drive and Fox Hill Drive.

Project 4C, Far Hills Avenue: Desert Foothills Drive to Fox Hill Drive

This project consists of the final lift of pavement on Far Hills Avenue for the 2,113-foot roadway segment between Desert Foothills Drive and Fox Hill Drive.

Project 5A, Far Hills Avenue: Fox Hill Drive to Sky Vista Drive

This project consists of rough grading and improvements to Far Hills Avenue for the 2,040-foot roadway segment between Fox Hill Drive and Sky Vista Drive.

Project 5B, Far Hills Avenue: Fox Hill Drive to Sky Vista Drive

This project consists of street lights on Far Hills Avenue between Fox Hill Drive and Sky Vista Drive.

Project 5C, Far Hills Avenue: Fox Hill Drive to Sky Vista Drive

This project consists of the final lift of pavement on Far Hills Avenue for the 2,040-foot roadway segment between Fox Hill Drive and Sky Vista Drive.

Project 6A, Alta Drive: Desert Foothills Drive to Fox Hill Drive

This project consists of rough grading and improvements, including a pedestrian under crossing, to Alta Drive for the 2,668-foot roadway segment between Desert Foothills Drive and Fox Hill Drive.

Project 6B, Alta Drive: Desert Foothills Drive to Fox Hill Drive

This project consists of street lights on Alta Drive between Desert Foothills Drive and Fox Hill Drive.

Project 6C, Alta Drive: Desert Foothills Drive to Fox Hill Drive

This project consists of the final lift of pavement on Alta Drive for the 2,668-foot roadway segment between Desert Foothills Drive and Fox Hill Drive.

Project 7A, Alta Drive: Desert Foothills Drive to Sky Vista Drive

This project consists of rough grading and improvements to Alta Drive for the 1,292-foot roadway segment between Desert Foothills Drive and Sky Vista Drive.

Project 7B, Alta Drive: Fox Hill Drive to Sky Vista Drive

This project consists of street lights on Alta Drive between Fox Hill Drive and Sky Vista Drive.

Project 7C, Alta Drive: Fox Hill Drive to Sky Vista Drive

This project consists of the final lift of pavement on Alta Drive for the 1,292-foot roadway segment between Fox Hill Drive and Sky Vista Drive.

Project 8A, Sky Vista Drive: Far Hills Avenue to Alta Drive

This project consists of rough grading and improvements to Sky Vista Drive for the 5,202-foot roadway segment between Far Hills Avenue and Alta Drive.

Project 8B, Sky Vista Drive: Far Hills Avenue to Alta Drive

This project consists of street lights on Sky Vista Drive between Far Hills Drive and Alta Drive.

Project 8C, Sky Vista Drive: Far Hills Avenue to Alta Drive

This project consists of the final lift of pavement on Sky Vista Drive for the 5,202-foot roadway between Far Hills Avenue and Alta Drive.

Regional Projects

Project 9, 3550 Zone Waterline: Far Hills Avenue, Fox Hill Drive, Spoke "B" Road, Desert Foothills Drive, and Alta Drive

This project consists of the construction of an 8,114 lineal foot segment of the 3550-zone water line and all required appurtenances. The project begins at the zone point of connection at the 3435-zone reservoir, then runs west in Far Hills Avenue, south in Fox Hill Drive, southeasterly in Spoke "B" Road, south in Desert Foothills Drive, and west in Alta Drive to Fox Hill Drive.

Project 10, 3550 Zone Waterline: Alta Drive and Sky Vista Drive

This project consists of the construction of a 5,500 lineal foot segment of the 3550-zone water line and all required appurtenances. The segment is to be contorted in Alta Drive from Fox Hill Drive to Sky Vista Drive and in Sky Vista Drive from Alta Drive to Desert Moon Road.

Project 11, 3665 Zone Waterline: Far Hills Avenue

This project consists of the construction of a 2,870 lineal foot segment of the 3665-zone north discharge pipeline and all required appurtenances. The segment is to be constructed in Far Hills Avenue for the zone point of connection at the 3435-zone reservoir to Sky Vista Drive.

Project 12, 3665 Zone Waterline: Sky Vista Drive

This project consists of the construction of a 5,230 lineal foot segment of the 3665-zone water line and all required appurtenances. The segment is to be constructed in Sky Vista Drive from Far Hills Avenue to Alta Drive.

Project 13, Traffic Signals: Desert Foothills Drive to Spoke "B" Road

This project consists of the installation of Traffic Signals and all the equipment required for a complete and operable system connected with the Freeway and Arterial System of Transportation (FAST) located at the intersection of Desert Foothills Drive and Spoke "B" Road.

Project 14, Traffic Signals: Alta Drive and Fox Hill Drive

This project consists of the installation of Traffic Signals and all the equipment required for a complete and operable system connected to the Freeway and Arterial System of Transportation (FAST) located at the intersection of Alta Drive and Fox Hill Drive.

Project 15, Traffic Signals: Far Hills Avenue and Fox Hill Drive

This project consists of the installation of Traffic Signals and all the equipment required for a complete and operable system connected with the Freeway and Arterial System of Transportation (FAST) located at the intersection of Far Hills Avenue and Fox Hill Drive.

Section 4. The boundaries of the District, including the parcels to be assessed, are as follows:

SUMMERLIN VILLAGE 23B

THAT PORTION OF PARCEL 1 AS SHOWN BY MAP THEREOF ON FILE IN FILE 91, PAGE 28 OF PARCEL MAPS IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN SECTIONS 27 AND 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF FOX HILL DRIVE AND ALTA DRIVE AS SHOW BY MAP THEREOF ON FILE IN BOOK 121, PAGE 12 OF PLATS IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE;

THENCE NORTH 82°41'35" WEST, 241.06 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 2500.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 12°56'40", AN ARC LENGTH OF 564.81 FEET;

THENCE SOUTH 84°21'45" WEST, 486.07 FEET;

THENCE NORTH 10°38'15" WEST, 2027.33 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 2500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 34°35'15", AN ARC LENGTH OF 1509.16 FEET;

THENCE NORTH 23°57'00" EAST, 1748.71 FEET;

THENCE SOUTH 66°03'00" EAST, 42.84 FEET;

THENCE FROM A TANGENT BEARING SOUTH 23°57'00" WEST, CURVING TO THE LEFT ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 93°00'00", AN ARC LENGTH OF 48.69 FEET;

THENCE SOUTH 69°03'00" EAST, 195.72 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 09°46'54", AN ARC LENGTH OF 51.22 FEET TO A POINT OF REVERSE CURVATURE THROUGH WHICH A RADIAL LINE BEARS NORTH 30°43'54" EAST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 14°12'45", AN ARC LENGTH OF 74.42 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 16°31'10" WEST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 1062.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 06°01'28", AN ARC LENGTH OF 111.66 FEET;

THENCE SOUTH 79°30'18" EAST, 1147.69 FEET;

THENCE SOUTH 78°13'55" EAST, 225.05 FEET;

THENCE SOUTH 79°30'18" EAST, 69.63 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 86°14'26", AN ARC LENGTH OF 45.16 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 75°44'44" EAST;

THENCE ALONG THE PROLONGATION OF SAID RADIAL LINE, SOUTH 75°44'44" EAST, 54.67 FEET;

THENCE NORTH 14°15'16" EAST, 36.42 FEET;

THENCE SOUTH 75°44'44" EAST, 40.00 FEET;

THENCE FROM A TANGENT BEARING SOUTH 14°15'16" WEST, CURVING TO THE LEFT ALONG THE ARC OF A 60.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 29°55'35", AN ARC LENGTH OF 31.34 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 74°19'40" WEST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 63°49'58", AN ARC LENGTH OF 33.42 FEET;

THENCE SOUTH 79°30'18" EAST, 200.00 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 10°59'17", AN ARC

LENGTH OF 57.53 FEET TO A POINT OF REVERSE CURVATURE THROUGH WHICH A RADIAL LINE BEARS NORTH 21°28'59" EAST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 10°59'17", AN ARC LENGTH OF 57.53 FEET;

THENCE SOUTH 79°30'18" EAST, 118.05 FEET;

THENCE SOUTH 80°46'41" EAST, 225.05 FEET;

THENCE SOUTH 79°30'18" EAST, 604.08 FEET;

THENCE SOUTH 80°46'42" EAST, 426.75 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 12°55'42", AN ARC LENGTH OF 5.64 FEET;

THENCE NORTH 86°17'36" EAST, 35.31 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 14°12'06", AN ARC LENGTH OF 6.20 FEET;

THENCE SOUTH 79°30'18" EAST, 74.82 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 09°27'44", AN ARC LENGTH OF 4.13 FEET;

THENCE SOUTH 70°02'34" EAST, 56.69 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 25.00-FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 09°27'44", AN ARC LENGTH OF 4.13 FEET;

THENCE SOUTH 79°30'18" EAST, 47.93 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 66°41'27", AN ARC LENGTH OF 46.56 FEET TO A POINT OF COMPOUND CURVATURE TO WHICH A RADIAL LINE BEARS SOUTH 56°11'45" EAST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 275.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 21°47'42", AN ARC LENGTH OF 104.61 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 77°59'27" EAST;

THENCE SOUTH 77°30'18" EAST, 60.12 FEET;

THENCE SOUTH 12°29'42" WEST, 771.55 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 3000.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 03°48'48", AN ARC LENGTH OF 199.67 FEET;

THENCE SOUTH 16°18'30" WEST, 1310.50 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 3750.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 25°23'11", AN ARC LENGTH OF 1661.54 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 80°55'19" WEST;

THENCE SOUTH 75°35'40" WEST, 805.93 FEET,

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 6000.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 04°20'20", AN ARC LENGTH OF 454.37 FEET;

THENCE SOUTH 71°15'20" WEST, 219.22 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 2160.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 26°03'05", AN ARC LENGTH OF 982.11 FEET;

THENCE NORTH 82°41'35" WEST, 209.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 443.68 ACRES.

Section 5. The District shall constitute one construction unit with the projects and subprojects described in Section 3.

Section 6. All of the costs of the Project will be defrayed by assessments. The assessments, levied in the principal amount not to exceed \$16,400,000, plus interest thereon, shall be payable in semiannual installments payable semiannually at the office of the City Treasurer. Forty-three (43) amortized assessment installments of principal and interest will be due semi-annually on April 1 and October 1 of each year, commencing on October 1, 2009 and ending on October 1, 2030. The assessments will be levied on an area basis; except that for property which has been subdivided for single-family residential purposes the assessments will be levied on a per lot basis, as more fully described in the ordinance levying the assessments.

Section 7. All actions, proceedings and matters previously taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the District and the Project, including but not limited to the performing of all prerequisites to the creation of the District, the entering into of the Financing Agreement, the acquisition and improvement of the Project, the determination of the specially benefited

property therein, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 8. 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, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds for the Project.

Section 9. Immediately upon the final adoption of this Ordinance, the Council shall, and hereby directs the City Clerk to, file in the office of the County Recorder of Clark County, Nevada, a certified copy of the list of the tracts to be assessed and the amount of maximum benefits estimated to be assessed against each tract in the District, as shown on the final assessment plat and map. Notwithstanding the foregoing, neither the failure to record such list nor any defect or omission in such list regarding any tract to be included in the District shall affect the validity of any assessment, the lien for the payment thereof or the priority of that lien.

Section 10. If bonds are issued for the Project, the Engineer is hereby authorized to approve all requests by the Developer for payment by the City for the acquisition of each subproject described in the Financing Agreement, subject to and in accordance with the applicable provisions of the Financing Agreement. Upon such approval, the City Treasurer is hereby authorized to make such payments to the Developer, without the necessity of any further authorization or approval by the Council.

Section 11. All ordinances, resolutions, bylaws and orders, 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, resolution, bylaw or order, or part thereof, previously repealed.

Section 12. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 810 (SUMMERLIN VILLAGE 23B); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

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 City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed June 20, 2007, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on July 11, 2007.

/s/ BEVERLY K. BRIDGES, CMC
City Clerk

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

Section 13. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 810 (SUMMERLIN VILLAGE 23B); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 20, 2007, and was passed at the meeting held on July 11, 2007, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 16th day of July, 2007, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this July 11, 2007.

/s/ OSCAR B. GOODMAN
Mayor

Attest:

/s/ BEVERLY K. BRIDGES, CMC
City Clerk

(End of Form of Publication)

Section 14. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

BEVERLY K. BRIDGES, CMC,
City Clerk

Approved as to Form:

6 June 07 W Z Long
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after July 16, 2007, i.e., the date after the publication of such ordinance by its title.

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

I, Beverly K. Bridges, CMC, 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 June 20, 2007 and finally adopted and approved on July 11, 2007.

2. The following members of the Council were present at the June 20, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

Those Absent: _____

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 20, 2007, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on July 11, 2007, 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 July 11, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

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 the City Clerk, 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 June 20 and July 11, 2007. Pursuant to Section 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) 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 South 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 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 June 20, 2007 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on July 11, 2007 is attached to this certificate as Exhibit B.

7. 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.

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.

9. Upon request, the Council, 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 Council 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 July ___, 2007.

City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of June 20, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of July 11, 2007 Meeting)

EXHIBIT C

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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-31 – Levies Assessments for Special Improvement District No. 810 – Summerlin Village 23B. Sponsored by: Step Requirement

Fiscal Impact

No Impact Augmentation Required
 Budget Funds Available

Amount: \$16,400,000.00

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer, and water main projects. Costs will be recovered over a 30 year period through the levy and collection of special assessments.

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. 2007-31

Motion made by STEVEN D. ROSS to Approve Items 5 through 8 as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 5 for related discussion.

Summary – An ordinance levying assessments in City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B), ratifying action taken by City officers toward the levy of assessments, and providing other matters related thereto.

BILL NO. 2007-31

ORDINANCE NO. _____

(of City of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 810 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B) (the “District”) for the purpose of acquiring and improving streets, sanitary sewers, storm sewers and water mains (the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District; and

WHEREAS, there has previously been presented to the Council a written petition from the Howard Hughes Corporation, a Delaware Corporation (the “Developer”) requesting the City to initiate the acquisition and improvement of the Project, to issue bonds and levy assessments and requesting the City to proceed with certain actions required by Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”); and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project, which contain the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the District has been created by an ordinance designated as the “District No. 810 Creation Ordinance” previously approved by the Council under the provisions of the Act; and

WHEREAS, the Council has determined that the entire cost and expense to the City of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, such cost and expense of the Project includes the costs and expenses of the City to be incurred in connection with the issuance of the bonds by the City (the “Bonds”) to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds; and

WHEREAS, the Council has determined and does hereby declare that the net cost to the City of the Project is \$16,400,000 of which \$-0- is available from other sources and \$16,400,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Council, together with the Engineer, made out an assessment roll for the District containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has filed the assessment roll with the City Clerk; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

WHEREAS, it is incumbent upon the Council to provide when said assessments shall become due and the penalties payable after any delinquency; and

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. 810 Assessment Ordinance” (this “Ordinance”).

Section 2. All actions, proceedings and matters previously taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of assessments for those purposes, and the validation and confirmation of the assessment roll and the assessments therein, are ratified, approved and confirmed.

Section 3. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District in the form on file in the office of the City Clerk on the date of adoption of this Ordinance, the amounts and assessments shown in the assessment roll (as so filed and confirmed). The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 4. The Developer, pursuant to the Financing Agreement, has elected to pay the assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid assessments shall be payable at the office of the City Treasurer on April 1 and October 1 of each year, commencing on October 1, 2009, in forty-three (43) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District.

After the effective date of this Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%.

The installments of the assessments shall be payable at the office of the City Treasurer. Pursuant to NRS 271.415(5), the City Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner's failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the April 1 or October 1 next succeeding such notice. Except as herein provided, failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided, however, that, in the event of the failure on the part of the Developer, or on the part of any merchant builder that has purchased property from the Developer or any of its successors in interest, to pay, on or before the date on which the same becomes due, any installment (either principal or interest) of the assessment against any lot or parcel that is then owned by it, but such delinquency is not cured within such fifteen (15) day period, the Developer or such merchant builder, as the case may be, shall pay, in addition to such delinquent installment, a penalty that is equal to 2% of the whole amount of the unpaid principal and the interest that has accrued thereon, prorated based upon a thirty day month, for the number of days during which such delinquency existed; and provided further that, at any time prior to the day of such sale, the owner of any such lot or parcel, including without limitation the Developer, may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

The owner of any property assessed and not in default as to any assessment installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. The owner of any assessed property may, at any time, request the City to provide information as to the total amount which will be due in connection with a proposed prepayment of an assessment by such owner and the City will promptly (but in any event within five (5) business days) provide such information to the owner. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining installments are semiannual substantially level installments of principal and interest with a final due date of October 1, 2030.

Section 5. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien of assessments and general taxes. The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 6. (a) Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided on a net assessable area basis unless such land is divided into single-family residential lots, in which case the uncollected amounts will be divided

on a per lot basis; provided that the applicant, at the time of such apportionment, may request that the uncollected amounts be apportioned on a net area basis (rather than on a per lot basis). The City may consider such request and, in its sole discretion, apportion the uncollected assessments accordingly. For purposes of such apportionment, the term "net assessable area" shall exclude (i) areas excluded from the definition of "assessable property" pursuant to NRS 271.040, (ii) areas designated on the assessment plat as being areas of non-assessment, and (iii) properties which are conveyed with restrictions limiting the uses of such properties to common areas, parks, landscaped areas and other permanent open space. In the event that any conflict exists between the provisions of the assessment plat and this Ordinance, the terms of this Ordinance shall control. The area of lands not included in the net assessable area may be estimated by the City in the case of any apportionment for which final legal descriptions of the excluded area are not yet available and any such estimate shall be final and conclusive absent fraud.

(b) The City may also reapportion assessments on tracts (whether currently within the District or latter added to the District) with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2) if the Council finds that the proposed action will not:

(i) materially or adversely impair the obligation of the City with respect to the Bonds; or

(ii) increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the assessment.

(c) The report of such an apportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report nor any defect in the report as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 7. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the City

Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the assessment installment delinquent on the assessment roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee's last-known address. Said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to 271.630, and the assessment roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings. Unless otherwise directed by the Council, in the case of such a collection, the City Treasurer shall determine whether to cause the whole amount of the unpaid assessment with respect to such property to be immediately due and payable. If any such collection is not promptly enforced by the City, any bondholder may file and prosecute a foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 8. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the assessment roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 9. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 10. The notice provided for in NRS 271.390(2) and in Section 9 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN THE CITY OF LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DISTRICT NO. 810
(SUMMERLIN VILLAGE 23B)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on July 11, 2007 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "City of Las Vegas, Nevada, Special Improvement District No. 810 (Summerlin Village 23B)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the sale, or until paid; provided, however, that, in the event of the failure on the part of the Developer (as defined in the Ordinance), or on the part of any merchant builder that has purchased property from the Developer or any of its successors in interest, to pay, on or before the date on which the same becomes due, any installment (either principal or interest) of the assessment against any lot or parcel that is then owned by it, but such delinquency is not cured within such fifteen (15) day period, the Developer or such merchant builder, as the case may be, shall pay, in addition to such delinquent installment, a penalty that is equal to 2% of the whole amount of the unpaid principal and the interest that has accrued thereon, prorated based upon a thirty day month, for the number

of days during which such delinquency existed; and provided further that, at any time prior to the day of such sale, the owner of any such lot or parcel, may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from July 16, 2007, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this July 11, 2007.

/s/ BEVERLY K. BRIDGES
City Clerk

Amount of assessment \$16,400,000

Description of property assessed _____

(End of Form of Notice)

Section 11. The officers of the City 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, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 12. All ordinances, bylaws, resolutions and orders, 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, bylaw, resolution or order, or part thereof, previously repealed.

Section 13. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 810 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

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 City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed June 20, 2007, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on July 11, 2007.

/s/ BEVERLY K. BRIDGES
City Clerk

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

Section 14. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 810 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 20, 2007, and was passed at the meeting held on July 11, 2007, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 16th day of July, 2007, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this July 11, 2007.

/s/ OSCAR B. GOODMAN
Mayor

Attest:

/s/ BEVERLY K. BRIDGES
City Clerk

(End of Form of Publication)

Section 15. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.


OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

BEVERLY K. BRIDGES, CMC
City Clerk

Approved as to Form:

6 June 07 W Z
Date Deputy City Attorney 

This Ordinance shall be in full force and effect from and after July 16, 2007, i.e., the date after the publication of such ordinance by its title.

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

I, Beverly K. Bridges, 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 June 20, 2007 and finally adopted and approved on July 11, 2007.

2. The following members of the Council were present at the June 20, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

Those Absent: _____

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 20, 2007, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on July 11, 2007, 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 July 11, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

Brenda J. Williams

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 the City Clerk, 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 June 20 and July 11, 2007. Pursuant to Section 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) 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-Clark County Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South 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 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 June 20, 2007 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on July 11, 2007 is attached to this certificate as Exhibit B.

7. 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.

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.

9. Upon request, the Council, 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 Council 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 July ____, 2007.

BEVERLY K. BRIDGES, City Clerk

(SEAL)

EXHIBIT A
(Attach Copy of Notice of June 20, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of July 11, 2007 Meeting)

EXHIBIT C

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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-32 – Ordinance Creating Special Improvement District No. 811 – Summerlin Village 24 Sponsored by. Step Requirement

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount: \$29,200,000.00

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer, and water main projects. Costs will be recovered over a 30 year period through the levy and collection of special assessments.

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. 2007-32

Motion made by STEVEN D ROSS to Approve Items 5 through 8 as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 5 for related discussion.

Summary – An ordinance creating the City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24), ratifying action taken by City officers toward the creation of such District, and providing other matters related thereto.

BILL NO. 2007-32

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of City of Las Vegas, Nevada (the “City”), deems it necessary to create the City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project and water project (collectively, the “Project”), and to defray the entire cost and expense of the Project by special assessments, according to benefits levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”), there has previously been presented to the Council a written petition from the Howard Hughes Corporation, a Delaware Corporation (the “Developer”), requesting the City to initiate the formation of the District and the acquisition and improvement of the Project and to issue bonds and levy assessments and requesting the City to proceed with certain actions required by the Act; and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the Council and the officers of the City have done or caused to be done all things necessary and preliminary to the creation of the District, including but not limited

to the filing by the City Engineer (the "Engineer") with the City Clerk of an accurate estimate of cost, full and detailed plans and specifications which comply with NRS 271.710(3)(b), an assessment plat and map and an assessment roll, and the Council now desires to authorize the Project by this ordinance.

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. 811 Creation Ordinance" (this "Ordinance").

Section 2. There shall be, and hereby is, created in the City an improvement district designated as the "City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24)" for the purpose of acquiring and improving the Project, as more particularly described below. The Council, pursuant to NRS 271.325(1), has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of the District.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 3. The Project, which is hereby ordered to be acquired and improved, shall be located within the boundaries of the District and shall be as shown on the full and detailed plans and specifications for the District filed with the City Clerk. The kind and location of the Project (without mentioning minor details) is as follows:

The Project consists of the acquisition and construction of certain improvements within the District to include streets, sanitary sewers, storm sewers, and water mains, in and along the property described in Section 4, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment) as set forth below. For the purposes of this section, the following terms have the following meanings:

Rough Grading – Includes the cost of rough grading for the full width of future roadway improvements including rough grading of landscape area to the

developer property line and required miscellaneous demolition of existing improvements.

Improvements – Includes costs of on-site waterlines, sewer, and storm drain associated with a roadway segment and all appurtenances (hydrants, sleeves, irrigation meters, manholes, service main extensions to the property line, inlets, RCP, box culverts, and so forth) as well as subgrade preparation, paving, curbs for the roadway, and striping/signage.

Street Lights – Includes the cost of trenching, conduit, pullboxes, service points, and transformers for street lights and street light installation for a particular road segment. These improvements also include, where applicable, costs for future traffic signal poles when installed for use as the street light pole at applicable intersections, including associated conduit, and pull boxes.

Final Paving – Includes the cost of the final paving for a roadway segment, including final striping, valve/manhole adjustments and signage adjustments. Final Paving is required only on arterial roadways. Final paving may be placed at the time of rough grading and improvements.

Road projects, which have been segmented into subprojects, are designated by a suffix indicating the following:

- “A” Rough Grading and Improvements
- “B” Street Lights
- “C” Final Paving

Interior Projects

Project 1A, Crossbridge Drive: Sky Vista Drive to Station 68+00

This project consists of rough grading and improvements to Crossbridge Drive for the 3,085-foot roadway segment between Sky Vista Drive and Station 68+00.

Project 1B, Crossbridge Drive: Sky Vista Drive to Station 68+00

This project consists of street lights on Crossbridge Drive from Sky Vista Drive to Stations 68+00.

Project 2A, Crossbridge Drive: Station 68+00 to Village I/J Boundary

This project consists of rough grading and improvements to Crossbridge Drive for the 1,234-foot roadway segment between Station 68+00 and Village I/J Boundary.

Project 2B, Crossbridge Drive: Station 68+00 to Village I/J Boundary

This project consists of street lights on Crossbridge Drive from Station 68+00 to Village I/J Boundary.

Project 3A, Crossbridge Drive: Village I/J Boundary to Village D Entry

This project consists of rough grading and improvements to Crossbridge Drive for the 1,076-foot roadway segment between Village I/J Boundary and Village D Entry.

Project 3B, Crossbridge Drive: Village I/J Boundary to Village D Entry

This project consists of street lights on Crossbridge Drive from Village I/J Boundary to Village D Entry.

Project 4A, Crossbridge Drive: Village D Entry to Suncreek Road

This project consists of rough grading and improvements to Crossbridge Drive for the 757-foot roadway segment between Village D Entry and Suncreek Road.

Project 4B, Crossbridge Drive: Village D Entry to Suncreek Road

This project consists of street lights on Crossbridge Drive from Village D Entry to Suncreek Road.

Project 5A, Crossbridge Drive: Suncreek Road to Village N Entry

This project consists of rough grading and improvements to Crossbridge Drive for the 694-foot roadway segment between Suncreek Road and Village N Entry.

Project 5B, Crossbridge Drive: Suncreek Road to Village N Entry

This project consists of street lights on Crossbridge Drive from Suncreek Road to Village N Entry.

Project 6A, Crossbridge Drive: Village N Entry to Village L Entry

This project consists of rough grading and improvements to Crossbridge Drive for the 1,064-foot roadway segment between Village N Entry and Village L Entry.

Project 6B Crossbridge Drive: Village N Entry to Village L Entry

This project consists of street lights on Crossbridge Drive from Village N Entry to Village L Entry.

Project 7A, Crossbridge Drive: Village L Entry to Alta Drive

This project consists of rough grading and improvements to Crossbridge Drive for the 1,297 foot roadway segment between Village L Entry to Alta Drive.

Project 7B, Crossbridge Drive: Village L Entry to Alta Drive

This project consists of street lights on Crossbridge Drive from Village L Entry to Alta Drive.

Project 8A, Suncreek Road: Crossbridge Drive to Sky Vista Drive

This project consists of the rough grading and improvements to Suncreek Road for the 887-foot roadway segment between Crossbridge Drive and Sky Vista Drive.

Project 8B, Suncreek Road: Crossbridge Drive to Sky Vista Drive

This project consists of street lights on Suncreek Road from Crossbridge Drive to Sky Vista Drive.

Project 9, Sewer Interconnects: Parcel A

This project consists of Sanitary Sewer construction within Village 24 Parcel A. The sewer is designed to serve multiple parcels within the Village.

Project 10, Sewer Interconnects: Parcel B

This project consists of Sanitary Sewer construction within Village 24 Parcel B. The sewer is designed to serve multiple parcels within the Village.

Project 11, Sewer Interconnects: Parcel C

This project consists of Sanitary Sewer construction within Village 24 Parcel C. The sewer is designed to serve multiple parcels within the Village.

Project 12, Sewer Interconnects: Parcel D

This project consists of Sanitary Sewer construction within Village 24 Parcel D. The sewer is designed to serve multiple parcels within the Village.

Project 13, Sewer Interconnects: Parcel E

This project consists of Sanitary Sewer construction within Village 24 Parcel E. The sewer is designed to serve multiple parcels within the Village.

Project 14, Sewer Interconnects: Parcel F

This project consists of Sanitary Sewer construction within Village 24 Parcel F. The sewer is designed to serve multiple parcels within the Village.

Project 15, Sewer Interconnects: Parcel G

This project consists of Sanitary Sewer construction within Village 24 Parcel G. The sewer is designed to serve multiple parcels within the Village.

Project 16, Sewer Interconnects: Parcel H

This project consists of Sanitary Sewer construction within Village 24 Parcel H. The sewer is designed to serve multiple parcels within the Village.

Project 17, Sewer Interconnects: Parcel I

This project consists of Sanitary Sewer construction within Village 24 Parcel I. The sewer is designed to serve multiple parcels within the Village.

Project 18, Sewer Interconnects: Parcel J

This project consists of Sanitary Sewer construction within Village 24 Parcel J. The sewer is designed to serve multiple parcels within the Village.

Project 19, Sewer Interconnects: Parcel K

This project consists of Sanitary Sewer construction within Village 24 Parcel K. The sewer is designed to serve multiple parcels within the Village.

Perimeter Projects

Project 20A, Alta Drive: Sky Vista Drive to Crossbridge Drive

This project consists of rough grading and improvements to Alta Drive for the 2,481-foot roadway segment between Sky Vista Drive and Crossbridge Drive.

Project 20B, Alta Drive: Sky Vista Drive to Crossbridge Drive

This project consists of street lights on Alta Drive from Sky Vista Drive to Crossbridge Drive.

Project 20C, Alta Drive: Sky Vista Drive to Crossbridge Drive

This project consists of the final lift of pavement on Alta Drive for the 2,481-foot roadway segment between Sky Vista Drive and Crossbridge Drive.

Project 21A, Sky Vista Drive: Charleston Boulevard to Crossbridge Drive

This project consists of rough grading and improvements to Sky Vista Drive for the 2,110-foot roadway segment between Charleston Boulevard and Crossbridge Drive.

Project 21B, Sky Vista Drive: Charleston Boulevard to Crossbridge Drive

This project consists of street lights on Sky Vista Drive from Charleston Boulevard to Crossbridge Drive.

Project 21C, Sky Vista Drive: Charleston Boulevard to Crossbridge Drive

This project consists of the final lift of pavement on Sky Vista Drive for the 2,110-foot roadway segment between Charleston Boulevard and Crossbridge Drive.

Project 22A, Sky Vista Drive: Crossbridge Drive to Alta Drive

This project consists of rough grading and improvements to Sky Vista Drive for the 3,192-foot roadway segment between Crossbridge Drive and Alta Drive.

Project 22B, Sky Vista Drive: Crossbridge Drive to Alta Drive

This project consists of street lights on Sky Vista Drive from Crossbridge Drive to Alta Drive.

Project 22C, Sky Vista Drive: Crossbridge Drive to Alta Drive

This project consists of final lift of pavement on Sky Vista Drive for the 3,192-foot roadway segment between Crossbridge Drive and Alta Drive.

Regional Projects

Project 23, 3665 Zone Waterline: Alta Drive, Crossbridge Drive

This project consists of the construction of a 5,450 lineal foot segment of the 3665-zone water line and all required appurtenances. The segment is to be constructed in Alta Drive from Sky Vista Drive to Crossbridge Drive and within Crossbridge Drive from Alta Drive to Suncreek Road.

Project 24, 3550 Zone Waterline: Far Hills Avenue, Fox Hill Drive, Spoke "B" Road, Desert Foothills Drive, and Alta Drive

This project consists of the construction of an 8,114 lineal foot segment of the 3550-zone water line and all required appurtenances. The project begins at the zone point of connection at the 3435-zone reservoir, then runs west in Far Hills Avenue, south in Fox Hill Drive, southeasterly in Spoke "B" Road, south in Desert Foothills Drive, and west in Alta Drive to Fox Hill Drive.

Project 25, 3550 Zone Waterline: Alta Drive and Sky Vista Drive

This project consists of the construction of a 5,500 lineal foot segment of the 3550-zone water line and all required appurtenances. The segment is to be constructed in Alta Drive from Fox Hill to Sky Vista Drive and in Sky Vista Drive from Alta Drive to Desert Moon Road.

Project 26, 3665 Zone Waterline: Far Hills Avenue

This project consists of the construction of a 2,870 lineal foot segment of the 3665-zone north discharge pipe line and all required appurtenances. The segment is to be constructed in Far Hills Avenue from the zone point of connection at the 3435-zone reservoir to Sky Vista Drive.

Project 27, 3665 Zone Waterline: Sky Vista Drive

This project consists of the construction of a 5,230 lineal foot segment of the 3665-zone water line and all required appurtenances. The segment is to be constructed in Sky Vista Drive from Far Hills Avenue to Alta Drive.

Project 28, Traffic Signals: Charleston Boulevard and Sky Vista Drive

This project consists of the installation of Traffic Signals and all the equipment required for a complete and operable system connected to the Freeway and Arterial System of Transportation (FAST) located at the intersection of Charleston Boulevard and Sky Vista Drive.

Project 29, Traffic Signals: Alta Drive and Sky Vista Drive

This project consists of the installation of Traffic Signals and all the equipment required for a complete and operable system connected to the Freeway and Arterial System of Transportation (FAST) located at the intersection of Alta Drive and Sky Vista Drive.

Section 4. The boundaries of the District, including the parcels to be assessed, are as follows:

SUMMERLIN VILLAGE 24

A PORTION OF PARCEL 1 AS SHOWN BY MAP THEREOF ON FILE IN FILE 91, PAGE 28 OF PARCEL MAPS TOGETHER WITH THE MAPPED AREA OF "SUMMERLIN VILLAGE 24 UNIT NO. 1" ON FILE IN BOOK 131, PAGE 29 OF PLATS IN THE CLARK COUNTY, NEVADA, RECORDER'S OFFICE, LYING WITHIN SECTION 33 AND THE WEST HALF (W 1/2) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M, TOGETHER WITH THE NORTHWEST QUARTER (NW 1/4) OF SECTION 3 AND THE NORTH HALF (N 1/2) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 3 AS SHOWN BY SAID PARCEL MAP;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL 1, SOUTH 89°17'20" WEST, 2521.17 FEET;

THENCE DEPARTING SAID SOUTH LINE, NORTH 40°49'30" WEST, 957.02 FEET;

THENCE NORTH 34°24'52" WEST, 228.98 FEET;

THENCE SOUTH 90°00'00" WEST, 367.13 FEET;

THENCE NORTH 40°09'10" WEST, 328.70 FEET;

THENCE NORTH 40°25'07" EAST, 1231.39 FEET;

THENCE FROM A TANGENT BEARING NORTH 20°32'42" EAST, CURVING TO THE RIGHT ALONG THE ARC OF A 9500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 08°24'12", AN ARC LENGTH OF 1393.32 FEET TO A POINT OF REVERSE CURVATURE THROUGH WHICH A RADIAL LINE BEARS NORTH 61°03'06" WEST;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 3000.00 FOOT RADIUS CURVE, CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 18°53'09", AN ARC LENGTH OF 988.86 FEET;

THENCE NORTH 10°03'45" EAST, 1094.88 FEET;

THENCE FROM A TANGENT BEARING NORTH 08°49'39" WEST, CURVING TO THE RIGHT ALONG THE ARC OF A 687.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 18°53'24", AN ARC LENGTH OF 226.50 FEET;

THENCE NORTH 10°03'45" EAST, 354.70 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 47.12 FEET;

THENCE NORTH 10°03'45" EAST, 76.00 FEET;

THENCE SOUTH 79°56'15" EAST, 559.12 FEET;

THENCE CURVING TO THE RIGHT ALONG THE ARC OF A 1138.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 24°53'33", AN ARC LENGTH OF 494.41 FEET;

THENCE SOUTH 55°02'42" EAST, 393.36 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 1062.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 40°35'33", AN ARC LENGTH OF 752.40 FEET;

THENCE NORTH 84°21'45" EAST, 243.74 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 30.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 95°00'00", AN ARC LENGTH OF 49.74 FEET;

THENCE NORTH 78°29'35" EAST, 58.68 FEET;

THENCE SOUTH 10°38'15" EAST, 1696.36 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 4420.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 42°26'08", AN ARC LENGTH OF 3273.64 FEET;

THENCE SOUTH 53°04'23" EAST, 343.06 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF CHARLESTON BOULEVARD AS DEDICATED TO NEVADA DEPARTMENT OF TRANSPORTATION BY INSTRUMENT RECORDED DECEMBER 06, 1988 IN BOOK 880606 OF OFFICIAL RECORDS AS INSTRUMENT NO. 00481,

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF CHARLESTON BOULEVARD THE FOLLOWING THREE COURSES;

- 1) SOUTH 41°55'37" WEST, 236.82 FEET;
- 2) THENCE NORTH 82°46'06" WEST, 464.52 FEET;
- 3) THENCE SOUTH 07°13'54" WEST, 100.00 FEET;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE OF CHARLESTON BOULEVARD AND CONTINUING SOUTH 07°13'54" WEST, 80.11 FEET;

THENCE SOUTH 83°24'53" WEST, 704.02 FEET;

THENCE CURVING TO THE LEFT ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 76°28'41", AN ARC LENGTH OF 667.40 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE AFOREMENTIONED PARCEL 1 (FILE 91, PAGE 28 OF PARCEL MAPS) TO WHICH A RADIAL LINE BEARS NORTH 83°03'49" WEST;

THENCE ALONG SAID SOUTH LINE, NORTH 89°40'23" WEST, 960.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 504.97 ACRES.

Section 5. The District shall constitute one construction unit with the projects and subprojects described in Section 3.

Section 6. All of the costs of the Project will be defrayed by assessments. The assessments, levied in the principal amount not to exceed \$29,200,000 plus interest thereon, shall be payable in semiannual installments payable semiannually at the office of the City Treasurer. Fifty-six (56) amortized assessment installments of principal and interest will be due semi-annually on April 1 and October 1 of each year, commencing on October 1, 2009 and ending on April 1, 2037. The assessments will be levied on an area basis; except that for property which has been subdivided for single-family residential purposes the assessments will be levied on a per lot basis, as more fully described in the ordinance levying the assessments.

Section 7. All actions, proceedings and matters previously taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the District and the Project, including but not limited to the performing of all prerequisites to the creation of the District, the entering into of the Financing Agreement, the acquisition and improvement of the Project, the determination of the specially benefited property therein, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 8. 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, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds for the Project.

Section 9. Immediately upon the final adoption of this Ordinance, the Council shall, and hereby directs the City Clerk to, file in the office of the County Recorder of Clark County, Nevada, a certified copy of the list of the tracts to be assessed and the amount of maximum benefits estimated to be assessed against each tract in the District, as shown on the final assessment plat and map. Notwithstanding the foregoing, neither the failure to record such list nor any defect or omission in such list regarding any tract to be included in the District shall affect the validity of any assessment, the lien for the payment thereof or the priority of that lien.

Section 10. If bonds are issued for the Project, the Engineer is hereby authorized to approve all requests by the Developer for payment by the City for the acquisition of each subproject described in the Financing Agreement, subject to and in accordance with the applicable provisions of the Financing Agreement. Upon such approval, the City Treasurer is hereby authorized to make such payments to the Developer, without the necessity of any further authorization or approval by the Council.

Section 11. All ordinances, resolutions, bylaws and orders, 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, resolution, bylaw or order, or part thereof, previously repealed.

Section 12. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the

City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

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 City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed June 20, 2007, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on July 11, 2007.

/s/ BEVERLY K. BRIDGES, CMC
City Clerk

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

Section 13. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 811 (SUMMERLIN VILLAGE 24); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 20, 2007, and was passed at the meeting held on July 11, 2007, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 16th day of July, 2007, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this July 11, 2007.

/s/ OSCAR B. GOODMAN
Mayor

Attest:

/s/ BEVERLY K. BRIDGES, CMC
City Clerk

(End of Form of Publication)

Section 14. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

BEVERLY K. BRIDGES, CMC,
City Clerk

Approved as to Form:

6 JUNE 07 W Flury
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after July 16, 2007, i.e., the date after the publication of such ordinance by its title.

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

I, Beverly K. Bridges, CMC, 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 June 20, 2007 and finally adopted and approved on July 11, 2007.

2. The following members of the Council were present at the June 20, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

Those Absent: _____

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 20, 2007, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on July 11, 2007, 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 July 11, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

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 the City Clerk, 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 June 20 and July 11, 2007. Pursuant to Section 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) 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 South 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 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 June 20, 2007 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on July 11, 2007 is attached to this certificate as Exhibit B.

7. 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.

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.

9. Upon request, the Council, 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 Council 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 July __, 2007.

BEVERLY K. BRIDGES, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of June 20, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of July 11, 2007 Meeting)

EXHIBIT C

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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

Consent Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-33 – Levies Assessments for Special Improvement District No. 811 – Summerlin Village 24. Sponsored by: Step Requirement

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Amount: \$29,200,000.00

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Acquisition, construction and installation of street, sanitary sewer, storm sewer, and water main projects. Costs will be recovered over a 30 year period through the levy and collection of special assessments.

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. 2007-33

Motion made by STEVEN D. ROSS to Approve/Items 5 through 8 as Do Pass

Passed For: 2; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, STEVEN D. ROSS; (Agamst-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 5 for related discussion.

Summary – An ordinance levying assessments in City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24), ratifying action taken by City officers toward the levy of assessments, and providing other matters related thereto.

BILL NO. 2007-33

ORDINANCE NO. _____

(of City of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 811 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24) (the “District”) for the purpose of acquiring and improving streets, sanitary sewers, storm sewers and water mains (the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District; and

WHEREAS, there has previously been presented to the Council a written petition from the Howard Hughes Corporation, a Delaware Corporation (the “Developer”) requesting the City to initiate the acquisition and improvement of the Project, to issue bonds and levy assessments and requesting the City to proceed with certain actions required by Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”); and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project, which contain the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the District has been created by an ordinance designated as the “District No. 811 Creation Ordinance” previously approved by the Council under the provisions of the Act; and

WHEREAS, the Council has determined that the entire cost and expense to the City of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, such cost and expense of the Project includes the costs and expenses of the City to be incurred in connection with the issuance of the bonds by the City (the “Bonds”) to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds; and

WHEREAS, the Council has determined and does hereby declare that the net cost to the City of the Project is \$29,200,000 of which \$-0- is available from other sources and \$29,200,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Council, together with the Engineer, made out an assessment roll for the District containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has filed the assessment roll with the City Clerk; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

WHEREAS, it is incumbent upon the Council to provide when said assessments shall become due and the penalties payable after any delinquency; and

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. 811 Assessment Ordinance” (this “Ordinance”).

Section 2. All actions, proceedings and matters previously taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the Project, the levy of assessments for those purposes, and the validation and confirmation of the assessment roll and the assessments therein, are ratified, approved and confirmed.

Section 3. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District in the form on file in the office of the City Clerk on the date of adoption of this Ordinance, the amounts and assessments shown in the assessment roll (as so filed and confirmed). The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 4. The Developer, pursuant to the Financing Agreement, has elected to pay the assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid assessments shall be payable at the office of the City Treasurer on April 1 and October 1 of each year, commencing on October 1, 2009, in fifty-six (56) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District.

After the effective date of this Ordinance, the City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%.

The installments of the assessments shall be payable at the office of the City Treasurer. Pursuant to NRS 271.415(5), the City Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner's failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the April 1 or October 1 next succeeding such notice. Except as herein provided, failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided, however, that, in the event of the failure on the part of the Developer, or on the part of any merchant builder that has purchased property from the Developer or any of its successors in interest, to pay, on or before the date on which the same becomes due, any installment (either principal or interest) of the assessment against any lot or parcel that is then owned by it, but such delinquency is not cured within such fifteen (15) day period, the Developer or such merchant builder, as the case may be, shall pay, in addition to such delinquent installment, a penalty that is equal to 2% of the whole amount of the unpaid principal and the interest that has accrued thereon, prorated based upon a thirty day month, for the number of days during which such delinquency existed; and provided further that, at any time prior to the day of such sale, the owner of any such lot or parcel, including without limitation the Developer, may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

The owner of any property assessed and not in default as to any assessment installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. The owner of any assessed property may, at any time, request the City to provide information as to the total amount which will be due in connection with a proposed prepayment of an assessment by such owner and the City will promptly (but in any event within five (5) business days) provide such information to the owner. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining installments are semiannual substantially level installments of principal and interest with a final due date of April 1, 2037.

Section 5. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien of assessments and general taxes. The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 6. (a) Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided on a net assessable area basis unless such land is divided into single-family residential lots, in which case the uncollected amounts will be divided

on a per lot basis; provided that the applicant, at the time of such apportionment, may request that the uncollected amounts be apportioned on a net area basis (rather than on a per lot basis). The City may consider such request and, in its sole discretion, apportion the uncollected assessments accordingly. For purposes of such apportionment, the term "net assessable area" shall exclude (i) areas excluded from the definition of "assessable property" pursuant to NRS 271.040, (ii) areas designated on the assessment plat as being areas of non-assessment, and (iii) properties which are conveyed with restrictions limiting the uses of such properties to common areas, parks, landscaped areas and other permanent open space. In the event that any conflict exists between the provisions of the assessment plat and this Ordinance, the terms of this Ordinance shall control. The area of lands not included in the net assessable area may be estimated by the City in the case of any apportionment for which final legal descriptions of the excluded area are not yet available and any such estimate shall be final and conclusive absent fraud.

(b) The City may also reapportion assessments on tracts (whether currently within the District or latter added to the District) with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2) if the Council finds that the proposed action will not:

(i) materially or adversely impair the obligation of the City with respect to the Bonds; or

(ii) increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the assessment.

(c) The report of such an apportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report nor any defect in the report as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 7. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the City

Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the assessment installment delinquent on the assessment roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee's last-known address. Said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to 271.630, and the assessment roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings. Unless otherwise directed by the Council, in the case of such a collection, the City Treasurer shall determine whether to cause the whole amount of the unpaid assessment with respect to such property to be immediately due and payable. If any such collection is not promptly enforced by the City, any bondholder may file and prosecute a foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 8. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the assessment roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 9. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 10. The notice provided for in NRS 271.390(2) and in Section 9 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN THE CITY OF LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DISTRICT NO. 811
(SUMMERLIN VILLAGE 24)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on July 11, 2007 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "City of Las Vegas, Nevada, Special Improvement District No. 811 (Summerlin Village 24)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the sale, or until paid; provided, however, that, in the event of the failure on the part of the Developer (as defined in the Ordinance), or on the part of any merchant builder that has purchased property from the Developer or any of its successors in interest, to pay, on or before the date on which the same becomes due, any installment (either principal or interest) of the assessment against any lot or parcel that is then owned by it, but such delinquency is not cured within such fifteen (15) day period, the Developer or such merchant builder, as the case may be, shall pay, in addition to such delinquent installment, a penalty that is equal to 2% of the whole amount of the unpaid principal and the interest that has accrued thereon, prorated based upon a thirty day month, for the number

of days during which such delinquency existed; and provided further that, at any time prior to the day of such sale, the owner of any such lot or parcel, may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from July 16, 2007, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this July 11, 2007.

/s/ BEVERLY K. BRIDGES
City Clerk

Amount of assessment \$29,200,000 _____

Description of property assessed _____

(End of Form of Notice)

Section 11. The officers of the City 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, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 12. All ordinances, bylaws, resolutions and orders, 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, bylaw, resolution or order, or part thereof, previously repealed.

Section 13. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

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

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 811 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

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 City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed June 20, 2007, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on July 11, 2007.

/s/ BEVERLY K. BRIDGES

City Clerk

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

Section 14. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

(of Las Vegas, Nevada)

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 811 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 20, 2007, and was passed at the meeting held on July 11, 2007, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 16th day of July, 2007, i.e., the day after the publication of such Ordinance by its title only.

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

DATED this July 11, 2007.

/s/ OSCAR B. GOODMAN

Mayor

Attest:

/s/ BEVERLY K. BRIDGES

City Clerk

(End of Form of Publication)

Section 15. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.


OSCAR B. GOODMAN, Mayor

(SEAL)

Attest:

BEVERLY K. BRIDGES, CMC
City Clerk

Approved as to Form:

6 June 07 
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after July 16, 2007, i.e., the date after the publication of such ordinance by its title.

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

I, Beverly K. Bridges, 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 June 20, 2007 and finally adopted and approved on July 11, 2007.

2. The following members of the Council were present at the June 20, 2007 Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Brenda J. Williams

Those Absent: _____

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 20, 2007, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on July 11, 2007, 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 July 11, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Oscar B. Goodman
Councilmembers	Gary Reese
	Larry Brown
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross

Brenda J. Williams

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 the City Clerk, 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 June 20 and July 11, 2007. Pursuant to Section 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

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

- (i) 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-Clark County Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South 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 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 June 20, 2007 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on July 11, 2007 is attached to this certificate as Exhibit B.

7. 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.

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.

9. Upon request, the Council, 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 Council 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 July __, 2007.

(SEAL)

BEVERLY K. BRIDGES, City Clerk

EXHIBIT A

(Attach Copy of Notice of June 20, 2007 Meeting)

EXHIBIT B

(Attach Copy of Notice of July 11, 2007 Meeting)

EXHIBIT C

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

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:

CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited

Minutes:
None.



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JULY 10, 2007

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

Consent Discussion

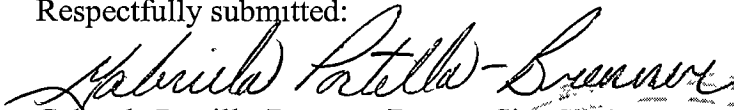
SUBJECT:

ADJOURNMENT

Minutes:

The meeting adjourned at 4:23 p.m.

Respectfully submitted:



Gabriela Portillo-Brenner, Deputy City Clerk II

July 19, 2007

