

RESOLUTION R-89-2003**A RESOLUTION APPROVING AN AMENDED AND
RESTATED PARKING FUND AGREEMENT WITH THE
CITY OF LAS VEGAS REDEVELOPMENT AGENCY AND
AUTHORIZING THE MAYOR AND CITY CLERK TO
EXECUTE AND DELIVER SUCH AGREEMENT.**

WHEREAS, the City of Las Vegas, Nevada (the "City") has created the City of Las Vegas Redevelopment Agency (the "Agency"), with all of the rights, privileges, powers, duties, obligations and immunities that are set forth in NRS 279.382 to 279.680, inclusive, for the purpose of improving, modernizing, rehabilitating, revitalizing and redeveloping the area of the City and has adopted, in connection therewith, a redevelopment plan that designates a redevelopment area (the "Redevelopment Area"); and

WHEREAS, figures from previous years with respect to the sources of the parking revenues of the City indicate that such sources will generate approximately \$4,000,000.00 in each of the future years; and

WHEREAS, the vast majority of such parking revenues are generated within the Redevelopment Area; and

WHEREAS, the Agency has previously issued its Tax Increment Revenue Bonds (City of Las Vegas Redevelopment Project) Series 1986A" (the "1986A Bonds"), which are no longer outstanding, its "Tax Increment Insured Refunding Parity Lien Revenue Bonds, Series 1995A" (the "1995A Bonds"), and its "Taxable Tax Increment Revenue Refunding Bonds, Series 1998" (the "1998 Bonds", together with the 1986A Bonds and 1995A Bonds, the "Senior Bonds"); and

WHEREAS, the City Council of the City has previously determined that it would be appropriate to make a portion of such parking revenues available to the Agency for use by the Agency in paying, as and when they become due, the annual installments of the principal of, premium, if any, with respect to and interest on the Senior Bonds; and

WHEREAS, to provide additional security for the Senior Bonds, the City and the Agency have previously entered into a Parking Fund Agreement dated August 14, 1986, as amended by the Amendment to Agreement made and entered into as of December 5, 1986, and as further amended by Second Amendment to Parking Fund Agreement made and entered into as of the 1st day of December, 1989 (collectively the "Original Agreement"); and

WHEREAS, the Agency has previously issued its "Tax Increment Subordinate Lien Revenue Bonds (Fremont Street Project), Series 1994A" (the "1994A Bonds") and its "Tax Increment Subordinate Lien Refunding Revenue Bonds, Series 1995B" (the "1995B Bonds") and to provide additional security for the 1994A Bonds and 1995B Bonds, the City and the Agency have previously entered into the Amended and Restated Parking Fund Agreement, dated as of June 18, 1994, as amended by the 1995 Amendment dated as of June 1, 1995 (collectively, the "1994 Agreement"); and

WHEREAS, the Agency proposes to issue its "Tax Increment Subordinate Lien Revenue Refunding Bonds, Series 2003A" (the "2003A Bonds") to refund the 1994A Bonds; and

WHEREAS, the City and the Agency wish to confirm the use of a portion of the City's parking revenues to provide additional security for the 1995B Bonds and 2003A Bonds and to amend and restate the 1994 Agreement; and

WHEREAS, there has been presented to the City Council at this meeting a form of an Amended and Restated Parking Fund Agreement between the City and the Agency (the "Amended Parking Fund Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. This resolution shall be known and may be cited by the short title "2003 Parking Fund Agreement Resolution."

Section 2. The form, terms and provisions of the Amended Parking Fund Agreement are authorized and approved, and the City shall enter into the Amended Parking Fund Agreement substantially in the form of such document as presented to the City Council at this meeting, but with such changes therein as shall be consistent with this Resolution and as the Mayor shall approve, the execution thereof being deemed conclusive of the approval of such changes. The Mayor is authorized and directed to execute and deliver the Amended Parking Fund Agreement for and on behalf of the City in substantially the form of said document presented at this meeting. The City Clerk is authorized and directed to affix the seal of the City to, and to attest, the Amended Parking Fund Agreement in substantially the form of said document presented at this meeting.

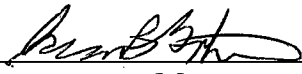
Section 3. The officers of the City shall take all action which they deem necessary or reasonably required to accomplish the transactions contemplated by the Amended Parking Fund Agreement.

Section 4. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 5. All bylaws, orders and resolutions, or parts thereof inconsistent herewith or with the documents hereby approved are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance, or part thereof.

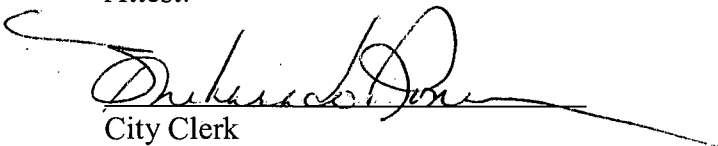
PASSED, ADOPTED AND APPROVED June 4, 2003.

(SEAL)



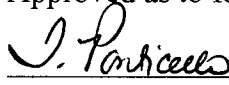
Mayor

Attest:



City Clerk

Approved as to form:

 5/22/03

Date

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

I, Barbara Jo Ronemus, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true and correct copy of a resolution adopted at a meeting on June 4, 2003.

2. The members of the City Council (the "Council") were present at the June 4, 2003 meeting and voted upon the adoption of the resolution as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Michael J. McDonald
	Larry Brown
	Lawrence Weekly
	Michael Mack

Those Voting Nay:	NONE
Those Absent:	Lynette Boggs-McDonald

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor and myself as Clerk and has been recorded in the regular official record of the City kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. The members of the Council voted on the passage of the resolution as set forth in the minutes.

5. All members of the Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working days before the meeting including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting 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
- (ii) City Hall
City Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada
- (iii) Senior Citizens Center
Las Vegas, Nevada
- (iv) Clark County Government Center
Las Vegas, Nevada
- (v) Downtown Transportation Center
Las Vegas, Nevada

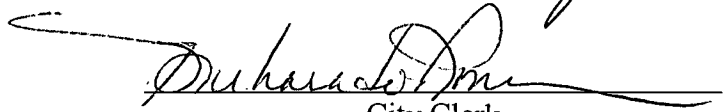
and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

7. A copy of such notice so given of the meeting of the Council on June 4, 2003 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this June 4, 2003.


City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of Meeting)

City of Las Vegas

CITY COUNCIL AGENDA

JUNE 4, 2003

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CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),

LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)

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

JUNE 4, 2003

**Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.**

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

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

DUPLICATE AUDIO TAPES MAY BE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES MAY BE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

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

CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - CHAPLAIN LANE STOCKELAND, ASSEMBLIES OF GOD
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF THE CITIZEN OF THE MONTH
- RECOGNITION OF THE AMERICAN PRIDE AWARD
- SPECIAL PRESENTATION BY THE AMERICAN PUBLIC WORKS ASSOCIATION

BUSINESS ITEMS

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

2. Approval of the Final Minutes by reference of the Special Joint City Council meetings of January 15, 2003, in conjunction with other government entities - AM and PM Sessions, the Regular City Council Meeting of May 7, 2003 and the Special Joint City Council and Redevelopment Agency Meeting of April 23, 2003 – Budget Workshop

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

3. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
4. Approval of Notice of Intent to Augment the Fiscal Year 2003 Annual Budget of the City of Las Vegas Debt Service Fund
5. Approval of a Special Event Liquor License for U N I T E, Location: East Las Vegas Community Center, 250 North Eastern Avenue, Date: July 20, 2003, Type: Special Event General, Event: Labor Union Welcome Party, Responsible Person in Charge: Mauricio Vasquez - Ward 3 (Reese)
6. Approval of a Special Event Liquor License for Nevada Sports Network, Location: Bruce Trent Park, 1600 North Rampart Boulevard, Date: June 14, 2003, Type: Special Event Beer/Wine, Event: Las Vegas International Beer Festival, Responsible Person in Charge: Craig Platt - Ward 4 (Brown)
7. Approval of Change of Ownership, Location and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Race Rock of Las Vegas, LLC, dba Race Rock, 495 Fremont Street (non-operational), Race Rock Holdings, Inc., Mmbr, 100%, Andrew E. Newman, COB, Asst Secy, Lawrence M. Scott, 10%, Andrew E. Newman Trust, 31.7%, Andrew E. Newman, Trustee, Craig E. Tribus, Gen Mgr, To: Coco-Nuts, LLC, dba Willy's, 2202 Paradise Road, William R. Phillips, Mgr, Mmbr, 100% - Ward 3 (Reese)
8. Approval of Change of Location for a Liquor Caterer License subject to the provisions of the fire codes, Diamond Catering, Inc., dba Diamond Catering, From: 3185 Highland Drive, Suite 1, To: 3888 West Sahara Avenue, Maurice R. Jung, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)
9. Approval of a new Restricted Gaming License for 6 slots subject to approval by the Nevada Gaming Commission, Spickler & Spickler, dba 7-Eleven Food Store #13681A, 4950 West Charleston Boulevard, Steven R. Spickler, Franchise Mgr, Paula G. Spickler, Franchise Mgr - Ward 1 (M. McDonald)
10. Approval of a new Restricted Gaming License for 7 slots subject to approval by the Nevada Gaming Commission, LDP Corporation, dba 7-Eleven Food Store #27866D, 870 North Rainbow Boulevard, LDP Corporation, Franchise Mgr, Frank A. Higgins, Dir, Pres, Secy, Treas, 100% - Ward 2 (L.B. McDonald)
11. Approval of a new Slot Operator Space Lease Location Non-Restricted Limited Gaming License for 20 slots subject to approval by the Nevada Gaming Commission, Market Gaming, Inc., db at Smith's Food & Drug Center #370, 3160 North Rainbow Boulevard - Ward 6 (Mack)
12. Approval of a new Slot Operator Space Lease Location Non-Restricted Limited Gaming License for 20 slots subject to approval by the Nevada Gaming Commission, Market Gaming, Inc., db at Smith's Food & Drug Center #373, 9200 West Sahara Avenue - Ward 1 (M. McDonald)
13. Approval of Change of Location for a Pistol Permit subject to the provisions of the planning and fire codes, CCS Guns, Inc., dba CCS Guns, From: 6107 Clarice Avenue, To: 2216 South Rainbow Boulevard, Chris F. Eifealtdt, Mmbr and Sandra K. Eifealtdt, Mmbr, 98% jointly as husband and wife - Ward 1 (M. McDonald)

14. Preapproval of award of Bid Number 03.1730.10-LED, Crystal Water Way Nominal Storm Drain to the lowest responsive and responsible bidder or best bidder and approve the construction conflicts & contingency reserve set by Finance & Business Services - Department of Public Works (monetary range \$600,000 to \$756,000 - Clark County Regional Flood Control District & City of Las Vegas Nominal Drainage Funds) - Ward 2 (L.B. McDonald)

FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

15. Approval of issuance of a purchase order for a firearm training simulator software and video system - Department of Detention and Enforcement - Award recommended to: STATE OF NEVADA, OFFICE OF CRIMINAL JUSTICE ASSISTANCE (\$60,000 - General Fund)
16. Approval of funding to implement Workforce Management Suite Software - Department of Information Technologies - Award to: CYBERSHIFT, INC. (\$140,000 - Capital Projects Fund)
17. Approval of addition of four contractors to the City of Las Vegas listing of Qualified Contractors for the period June 4, 2003 through January 1, 2004 pursuant to City of Las Vegas Qualification Plan - Department of Finance & Business Services

MUNICIPAL COURT - CONSENT

18. Approval of annual purchase order for instructors and speaker services for Las Vegas Municipal Court's court-ordered defendant classes and programs provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$265,700 - General Fund)
19. Approval of annual purchase order for interpreters/translators for Las Vegas Municipal Court's court-ordered classes, appointments, and curriculum materials provided by the Court's Alternative Sentencing and Education Division (ASED) - (Annual aggregate amount of \$34,744 - General Fund)
20. Approval of annual purchase order for Alternate Judge services for Municipal Court (Annual aggregate amount of \$60,000 - General Fund)
21. Approval of annual purchase order for interpretation services for Municipal Court (Annual aggregate amount of \$128,820 - General Fund)

PUBLIC WORKS DEPARTMENT - CONSENT

22. Approval to file a Temporary Use Permit with the Bureau of Land Management for the Lone Mountain Detention Basin expansion and spoiling of excess material at the proposed park site on portions of land lying within the Northwest Quarter of Section 7, Township 20 South, Range 60 East, Mount Diablo Base and Meridian, generally located between the Alexander Road alignment and Gowan Road, east of the Hualapai Way alignment - Assessor Parcel Numbers 138-07-103-001 and 138-07-201-010 - Ward 4 (Brown)
23. Approval of Environmental Assessment Letter of Agreement Number 72657 whereby the State of Nevada Department of Transportation will construct, adjust and relocate sewer manholes and pipe that are owned and maintained by the City of Las Vegas and are in conflict with Nevada Department of Transportation's Rancho Road Reinforced Concrete Box Storm Drain project (\$39,675.60 - City of Las Vegas Sanitation Fund) - Ward 5 (Weekly)
24. Approval of an Encroachment Request from Sherman Architecture on behalf of Ovsep and Vardan Pilafdzhyan, owners (1410 South Commerce Street) - Ward 1 (M. McDonald)
25. Approval of an Encroachment Request from Tetra Tech, Incorporated, on behalf of KB Home Nevada, Incorporated, owner (area bound by Fort Apache Road, Deer Springs Way, Campbell Road, and Bath Drive) - Ward 6 (Mack)
26. Approval of a Professional Services Agreement with JMA Architecture Studios for the design services of the Downtown Senior Services Center located at Bridger Avenue and 9th Street (\$245,364 - Community Development Block Grant) - Ward 5 (Weekly)

RESOLUTIONS - CONSENT

27. R-84-2003 - Approval of a Resolution Establishing the Interest Rate for Special Improvement District No. 1484 - Alta Drive (Rancho Drive to Valley View Boulevard) (\$83,587.32 Capital Projects Fund - Special Assessments) - Ward 1 (M. McDonald)
28. R-85-2003 - Approval of a Resolution directing the City Treasurer to prepare the Thirty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Wards 2 and 4 (L.B. McDonald and Brown)
29. R-86-2003 - Approval of a Resolution approving the Thirty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Wards 2 and 4 (L.B. McDonald and Brown)
30. R-87-2003 - Approval of a Resolution directing the City Treasurer to prepare the Thirty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
31. R-88-2003 - Approval of a Resolution approving the Thirty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 404 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
32. R-89-2003 - Approval of a resolution approving an amended and restated parking fund agreement with the City of Las Vegas Redevelopment Agency and authorizing the Mayor and City Clerk to execute and deliver such agreement - Various Wards
33. R-90-2003 - Approval of a resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in District 505 and in certain other districts; and providing other matters properly relating thereto - District 505/Ward 6 (Mack) and the other districts are in Various Wards
34. R-91-2003 - Approval of a resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assesment Districts 404, 707 and 808 (Summerlin area); and providing other matters properly relating thereto - District 404/Wards 2 and 4 (L.B. McDonald and Brown) and Districts 707 and 808/Ward 2 (L.B. McDonald)

REAL ESTATE COMMITTEE – CONSENT

35. ABEYANCE ITEM - Approval of an Agreement for the Sale of Real Property between Priority One Commercial (on behalf of the City of Las Vegas) and North Airport Center, LLC, for City-owned Parcel Numbers 139-22-313-004 through 139-22-313-010 (seven vacant lots averaging 6,907 square feet) located on Gregory Street between Elliot and Alexander Avenues (\$138,265 revenue less associated closing costs - Parks Capital Improvement Project Fund) - Ward 5 (Weekly)
36. Approval of a Bill of Sale from the City of Las Vegas to the Las Vegas Valley Water District for the purpose of providing water services located at 3821 North Fort Apache Road, know as Fire Station #45 - Ward 4 (Brown)
37. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company for the purpose of relocation of an existing power pole located at the southwest corner of Tenaya Way and Alexander Road approximately 20 feet west on Parcel Number 138-10-101-017 - Ward 4 (Brown)
38. Approval of Interlocal Agreement 109127 with the Las Vegas Valley Water District for water service to the future Las Vegas Metropolitan Police Department Downtown Area Command located on the northwest corner of Bonanza Road and Ninth Street (\$2,730 - General Fund) - Ward 5 (Weekly)
39. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for a 225 square foot Easement to the Las Vegas Valley Water District for fire hydrant services to the future Las Vegas Metropolitan Police Department Downtown Area Command located on the northwest corner of Bonanza Road and Ninth Street - Ward 5 (Weekly)

REAL ESTATE COMMITTEE – CONSENT

40. Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for a 50 square foot Easement to the Las Vegas Valley Water District for domestic water services to the future Las Vegas Metropolitan Police Department Downtown Area Command located on the northwest corner of Bonanza Road and Ninth Street - Ward 5 (Weekly)
41. Approval authorizing Priority One Commercial, on behalf of the City of Las Vegas, to market the property located at 6325 Julian Road - Ward 6 (Mack)
42. Approval of a Lease Agreement between the City of Las Vegas and From Dreams To Reality for lease of approximately 2,800 square feet of office space located at Stupak Community Center 300 West Boston Avenue - Ward 1 (M. McDonald)
43. Approval authorizing staff to enter into negotiations with the Las Vegas-Clark County Library District for lease of approximately 480 square feet of office space located at Stupak Community Center 300 West Boston Avenue - Ward 1 (M. McDonald)
44. Approval of an Option to Purchase Real Property Agreement with developer Affordable Housing Resource Council to purchase approximately five (5) acres of City of Las Vegas land located in the vicinity of Rockmoss Street and Summerlin Parkway, Las Vegas, Nevada for development and construction of a senior assisted living project (portion of Parcel Number 138-28-301-003) - Ward 2 (L.B. McDonald)
45. Approval of an Option to Purchase Real Property Agreement Phase I with developer Affordable Housing Resource Council to purchase approximately two and one-half (2.5) acres of City of Las Vegas land located in the vicinity of Rockmoss Street and Summerlin Parkway, Las Vegas, Nevada for development and construction of senior housing (portion of Parcel Number 138-28-301-003) - Ward 2 (L.B. McDonald)
46. Approval of an Option to Purchase Real Property Agreement Phase II with developer Affordable Housing Resource Council to purchase approximately two and one-half (2.5) acres of City of Las Vegas land located in the vicinity of Rockmoss Street and Summerlin Parkway, Las Vegas, Nevada for development and construction of senior housing (portion of Parcel Number 138-28-301-003) - Ward 2 (L.B. McDonald)
47. Approval authorizing Intent to Purchase 601 Fremont Street (Parcel Number 139-34-611-018), from Clark County, for fair market value (\$1,196,500 - Industrial Special Revenue Fund) - Ward 5 (Weekly)

DISCUSSION / ACTION ITEMS**ADMINISTRATIVE - DISCUSSION**

48. Report and possible action concerning the status of 2003 legislative issues
49. Report and possible action on implementation of an Integrated Service Team concept - All Wards

CITY ATTORNEY - DISCUSSION

50. Discussion and possible action on Appeal of Work Card Denial: Sherry Dina Rosen, 3550 Paradise Road #351, Las Vegas, Nevada 89109
51. Discussion and possible action on Appeal of Work Card Denial: Tina Denise Anderson, 281 Violet Note, Henderson, Nevada 89074
52. Discussion and possible action on Appeal of Work Card Denial: Mary Beth Lourcey, 7451 Ohana Court, Las Vegas, Nevada 89129

FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

53. ABEYANCE ITEM - Discussion and possible action regarding an Appeal of Denial of Business License for an Independent Massage Therapist, Feng Chen, dba Feng Chen, 7450 West Cheyenne Avenue, Suite 113, Feng Chen, 100% - Ward 4 (Brown)
54. ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Restricted Gaming License for 7 slots, E-T-T, Inc., db at Texaco Star Mart, 9991 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 2 (L.B. McDonald)
55. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 5 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 1500 West Charleston Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 5 (Weekly)
56. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 598 North Eastern Avenue, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 3 (Reese)
57. ABEYANCE ITEM - Discussion and possible action regarding Approval to Participate in Revenue for a Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, Cardivan Company, db at Texaco Star Mart, 298 South Decatur Boulevard, Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 1 (M. McDonald)
58. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler, Off-sale Liquor License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and approval by the Nevada Gaming Commission, From: Jung Corp., dba Fasty's Food Mart, Gil Y. Jung, Pres and Susan K. Jung, Secy, Treas, 100% jointly as husband and wife, To: Speedee Mart, Inc., dba Speedee Mart #108, 4701 West Lake Mead Boulevard, Walter A. Emery, Dir, Pres, Treas, 50%, Sherolyn J. Emery, Dir, Secy, 50% - Ward 5 (Weekly)
59. Discussion and possible action regarding Proposed Disciplinary Action on a Massage Establishment License, Joyful Massage Therapy; 2009 Paradise Road, Li S. Zhang, 100% - Ward 3 (Reese)

LEISURE SERVICES DEPARTMENT - DISCUSSION

60. Discussion and possible action on naming a park located at the corner of 4th Street and Stewart Avenue next to the post office - Ward 5 (Weekly)
61. Discussion and possible action on naming a park located at Torrey Pines Drive and Smoke Ranch Road next to Fire Station #43 - Ward 6 (Mack)

NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

62. ABEYANCE ITEM - Discussion and possible action regarding the future operation and funding in an amount anticipated to be \$243,900 in FY2003/2004 for the Crisis Intervention Center - All Wards

PUBLIC WORKS DEPARTMENT - DISCUSSION

63. ABEYANCE ITEM - Discussion and possible action on a request to install Speed Humps on Shetland Road between Charleston Boulevard and Palomino Lane (\$13,500 - Neighborhood Traffic Management Program) - Ward 1 (M. McDonald)
64. Discussion and Possible Action for award to the most responsive proposer to Request For Proposal Number 030219-LED, Design Build of the Office District Parking Garage and approval of the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works (estimated monetary range \$14,500,000 to \$16,000,000 - General Obligation Parking Bonds) - Ward 1 (M. McDonald)

RESOLUTIONS - DISCUSSION

65. R-92-2003 - Discussion and possible action on a Resolution to Augment and Amend the City of Las Vegas Fiscal Year 2003 General Fund Budget

BOARDS & COMMISSIONS - DISCUSSION

66. ABEYANCE ITEM - HISTORIC PRESERVATION COMMISSION – Cathie Kelly, Term Expiration 3/6/2003
67. ABEYANCE ITEM - CHILD CARE LICENSING BOARD – Linda Powers, Term Expiration 6-2005 (Resigned)
68. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Zelda Weingard, Term Expiration 11-18-2005 (Resigned)
69. CHILD CARE LICENSING BOARD – Rhonda Evans, Term Expiration 6-2003 (Resigned)

RECOMMENDING COMMITTEE REPORTS - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

70. Bill No. 2003-47 – Annexation No. ANX-1603 – Property location: On the northeast corner of Regena Avenue and Riley Street; Petitioned by: Michael Monahan and Michelle Ware; Acreage: 0.75 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
71. Bill No. 2003-48 – Annexation No. ANX-1752 – Property location: On the north side of Smoke Ranch Road, 450 feet east of Michael Way; Petitioned by: Thomas Fett; Acreage: 1.18 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
72. Bill No. 2003-50 – Requires a special use permit for massage establishments in the C-1, C-2, C-PB and C-M Zoning Districts, and allows the use as a conditional use in the M Zoning District. Sponsored by: Councilman Michael J. McDonald

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

73. Bill No. 2002-145 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

RECOMMENDING COMMITTEE REPORTS - DISCUSSION**BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

74. Bill No. 2003-49 – Exempts the buying, selling or trading of used CD's , DVD's, video games, videotapes, cassettes or sound recordings from the secondhand dealer business licensing requirements. Proposed by: Mark Vincent, Director of Finance and Business Services
75. Bill No. 2003-51 – Adjusts the on-site parking requirements for barber shops and beauty parlors. Proposed by: Robert S. Genzer, Director of Planning and Development
76. Bill No. 2003-52 – Establishes parameters for the keeping of carrier or racing pigeons within the City. Sponsored by: Mayor Oscar B. Goodman
77. Bill No. 2003-53 – Establishes zoning requirements for facilities that provide testing, treatment, or counseling for drug or alcohol abuse, and updates zoning provisions regarding similar and related uses. Sponsored by: Michael J. McDonald
78. Bill No. 2003-54 – Permits restricted gaming in supper clubs under certain circumstances, and prohibits restricted gaming in the Downtown Entertainment Overlay District. Sponsored by: Councilman Larry Brown

NEW BILLS

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

79. Bill No. 2003-55 – Annexation No. ANX-1843 – Property location: On the southeast corner of Cheyenne Avenue and Rowland Street; Petitioned by: Jerry and Kathleen Trenberth; Acreage: 0.77 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Lawrence Weekly
80. Bill No. 2003-56 – Annexation No. ANX-2016 – Property location: On the southeast corner of Fort Apache Road and Alexander Road; Petitioned by: C. W. Fourth Family L.P.; Acreage: 2.70 acres; Zoned: R-E (County zoning), U (L) (City equivalent). Sponsored by: Councilman Larry Brown
81. Bill No. 2003-57 – Allows the slaughter and processing of live poultry by means of special use permit in the C-1, C-2, and C-M Zoning Districts, and as a permitted use in the M Zoning District. Proposed by: Robert S. Genzer, Director of Planning and Development

1:00 P.M. - AFTERNOON SESSION

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

HEARINGS - DISCUSSION

83. Hearing to consider the appeal regarding the Nuisance/Litter Abatement Notice and Order to Comply at 400 Princeton Street. PROPERTY OWNER: PETER K. LEHR - Ward 1 (M. McDonald)

PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

84. TENTATIVE MAP - TMP-2129 - LA VENTINA - LA VENTINA, LIMITED LIABILITY COMPANY ON BEHALF OF AMERICAN PREMIERE HOMES - Request for a Tentative Map FOR A 130-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 38.2 acres adjacent to the northeast corner of Jones Boulevard and Gilbert Lane (APN: 125-01-301-001, 002, and 007), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
85. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-1548 - OFFICE DISTRICT PARKING I, INC. ON BEHALF OF CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED SEVEN LEVEL PARKING STRUCTURE WITH GROUND LEVEL RETAIL (405,000 Square Feet) on 1.28 acres adjacent to the east side of Third Street, between Bonneville Avenue and Garces Avenue (APN: 139-34-311-095 through 102), C-2 (General Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
86. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-1836 - BERNICE Q.H.HOM REVOCABLE TRUST, ET AL ON BEHALF OF DR HORTON, INC. - Request for a Site Development Plan Review FOR A 102-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER TO ALLOW A SIDEWALK ON ONE SIDE OF THE TOWN CENTER PUBLIC RESIDENTIAL STREET ALONG THE SOUTHERN AND EASTERN PROPERTY LINES WHERE A SIDEWALK IS REQUIRED ON BOTH SIDES on 15.23 acres adjacent to the southeast corner of Elkhorn Road and Campbell Road (APN: 125-20-101-004, 005 and 006), U (Undeveloped) Zone [ML-TC (Medium-Low Density Residential - Town Center) and T-C (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (4-0-1 vote) recommends APPROVAL
87. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2134 - MARK AND SHARON GENTILE, ET AL - Request for a Site Development Plan Review and a Waiver of the perimeter and parking lot landscape requirements and the trash enclosure distance requirement FOR A PROPOSED 5,890 SQUARE FOOT OFFICE CONVERSION AND ADDITION on 0.41 acres located on property at 2012 Hamilton Lane (APN: 139-33-301-012), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
88. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-2269 - SIDER FAMILY PROPERTIES LIMITED PARTNERSHIP ON BEHALF OF LAWRENCE D ROUSE, LIMITED - Request for a Site Development Plan Review, Waivers of the Commercial Development Standards and a reduction in the amount of required perimeter landscaping FOR A PROPOSED 1,447 SQUARE FOOT OFFICE CONVERSION on 0.15 acres located on property at 523 South 8th Street (APN: 139-34-810-053), R-1 (Single-Family Residential) under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL
89. VACATION - PUBLIC HEARING - VAC-2105 - ASIAN DEVELOPMENT, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located adjacent to the northwest corner of Alexander Road and Cimarron Road, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

90. REQUIRED ONE YEAR REVIEW - VARIANCE - PUBLIC HEARING - RQR-1909 - CITY PARKWAY IV A, INC. ON BEHALF OF VIACOM OUTDOOR - Required One Year Review of an approved Variance [V-0046-92(4)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN 690 FEET FROM AN EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION ALLOWED adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks (APN: 139-27-401-031), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL
91. REQUIRED SIX MONTH REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - RQR-2433 - TIMOTHY REED - Required Six Month Review of an approved Special Use Permit (U-0108-02) FOR LIVESTOCK FARMING (13 HORSES) WHERE A MAXIMUM OF SIX HORSES IS ALLOWED ON 1.08 ACRES AND A WAIVER OF THE MINIMUM 1.25 ACRE PARCEL SIZE REQUIREMENT AND THE MINIMUM SQUARE FEET OF LOT AREA ALLOWED PER HORSE AND BOVINE situated on 1.08 acres at 5401 Rome Boulevard (APN: 125-24-403-002), R-E (Residence Estates) Zone, Ward 6 (Mack). Staff recommends APPROVAL
92. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-1950 - MER-CAR CORPORATION ON BEHALF OF BOU OLSTEEN - Appeal filed by Bou Olsteen from the Denial by the Planning Commission of a request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED (CHECK CASHING) at 1401 East Charleston Boulevard (APN: 139-35-401-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL
93. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2041 - SECOND BAPTIST CHURCH, INC. ON BEHALF OF THE ALLIANCE COLLEGIUMS ASSOCIATION OF NEVADA - Appeal filed by The Alliance Collegiums Association of Nevada from the Denial by the Planning Commission on a request for a Special Use Permit FOR A HALFWAY HOUSE, CRIMINAL (FOR SIX BEDS) on 0.16 acres located at 1111 and 1113 E Street (APN: 139-27-210-053 and 026), R-4 (High Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL
94. SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-2041 - PUBLIC HEARING - SDR-2040 - SECOND BAPTIST CHURCH, INC. ON BEHALF OF THE ALLIANCE COLLEGIUMS ASSOCIATION OF NEVADA - Appeal filed by The Alliance Collegiums Association of Nevada from the Denial by the Planning Commission on a request for a Site Development Plan Review and Waivers of the parking and perimeter landscaping requirements and Commercial Development Standards FOR A PROPOSED 1,632 SQUARE-FOOT HALFWAY HOUSE, CRIMINAL on 0.34 acres located at 1111 and 1113 E Street (APN: 139-27-210-053 and 026), R-4 (High Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL
95. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2081 - PAN PACIFIC DEVELOPMENT CHEYENNE COMMONS ON BEHALF OF ENHUA CHEN - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR and a Waiver of the minimum distance requirement from a protected use (Religious Facility) on property located at 3059 North Rainbow Boulevard (APN: 138-15-502-006), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
96. SPECIAL USE PERMIT - PUBLIC HEARING - SUP-2132 - TJP/WEINER FAMILY TRUST ON BEHALF OF TAMMY DO PINEYRO - Request for a Special Use Permit FOR SECONDHAND SALES of clothing, accessories and small household items on a portion of 1.36 acres on property located at 2101 South Decatur Boulevard, Suite 22 (APN: 163-01-708-003), C-2 (General Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL
97. REZONING - PUBLIC HEARING - ZON-2123 - JACK AND LAURA SOMMER - Request for a Rezoning FROM: C-1 (Limited Commercial) Zone and U (Undeveloped) Zone [SX-TC (Suburban Mixed Use - Town Center) General Plan Designation] TO: T-C (Town Center) on 20.73 acres adjacent to the southwest corner of Dorrell Lane and Cimarron Road (APN: 125-21-202-002 and 003), PROPOSED USE: COMMERCIAL, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

98. REZONING - PUBLIC HEARING - ZON-2124 - LARSEN FAMILY TRUST - Request for a Rezoning FROM: R-3 (Medium Density Residential) TO: P-R (Professional Office and Parking) on 0.32 acres located on property at 410 and 416 South 7th Street (APN: 139-34-710-030 and 031), PROPOSED USE: OFFICE, Ward 1 (M. McDonald). The Planning Commission (5-0 vote) and staff recommend APPROVAL

99. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2124 - PUBLIC HEARING - SDR-2125 - LARSEN FAMILY TRUST - Request for a Site Development Plan Review and Waivers of the perimeter landscape requirement, parking standards, and loading zone requirement FOR A 7,804 SQUARE FOOT OFFICE CONVERSION AND ADDITION on 0.32 acres on property located at 410 and 416 South 7th Street (APN: 139-34-710-030 and 031), R-3 (Medium Density Residential) Zone, [PROPOSED: P-R (Professional Office and Parking)], Ward 1 (M. McDonald). The Planning Commission (4-1 vote) and staff recommend APPROVAL

100. REZONING - PUBLIC HEARING - ZON-2131 - R & S EL CAPITAN, LIMITED LIABILITY COMPANY ON BEHALF OF REAL HOMES BY CENTEX - Request for a Rezoning FROM: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] TO: R-PD4 (Residential Planned Development - 4 Units per Acre) on 10.08 acres adjacent to the southeast corner of Racel Street and Durango Drive (APN: 125-09-401-001 through 004), PROPOSED: SINGLE FAMILY RESIDENTIAL DEVELOPMENT, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

101. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2131 - PUBLIC HEARING - SDR-2135 - R & S EL CAPITAN, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF REAL HOMES BY CENTEX - Request for a Site Development Plan Review FOR A 72-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 16.46 acres adjacent to the southeast corner of Racel Street and Durango Drive (APN: 125-09-401-001 through 004, 007, 011 and 012), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] and R-A (Ranch Acres) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units per Acre) and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units per Acre)], [PROPOSED: R-PD4 (Residential Planned Development - 4 Units per Acre)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

102. VACATION RELATED TO ZON-2131 AND SDR-2135 - PUBLIC HEARING - VAC-2133 - R & S EL CAPITAN, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF REAL HOMES BY CENTEX - Petition to Vacate a portion of Butler Street, generally located south of Racel Street, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

103. REZONING - PUBLIC HEARING - ZON-2138 - LAS VEGAS HOUSING AUTHORITY ON BEHALF OF COMMUNITY DEVELOPMENT PROGRAMS CENTER OF NEVADA - Request for a Rezoning FROM: R-PD16 (Residential Planned Development - 16 Units per Acre) TO: R-PD19 (Residential Planned Development - 19 Units per Acre) on 12.59 acres at 2701 Searles Avenue (APN: 139-25-101-014 and 015), PROPOSED: 240-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT (SENIOR CITIZENS' HOUSING), Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

104. SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-2138 - PUBLIC HEARING - SDR-2139 - LAS VEGAS HOUSING AUTHORITY ON BEHALF OF COMMUNITY DEVELOPMENT PROGRAMS CENTER OF NEVADA - Request for a Site Development Plan Review FOR A 240-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT (SENIOR CITIZENS' HOUSING) on 12.59 acres at 2701 Searles Avenue (APN: 139-25-101-014 and 015), R-PD16 (Residential Planned Development - 16 Units per Acre), [PROPOSED: R-PD19 (Residential Planned Development - 19 Units per Acre)], Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

105. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

ADDENDUM**CITIZENS PARTICIPATION**

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

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

Las Vegas Library, 833 Las Vegas Boulevard North
Senior Citizen Center, 450 E. Bonanza Road
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

AMENDED AND RESTATED PARKING FUND AGREEMENT

THIS AGREEMENT, dated as of June 15, 2003, by and between the CITY OF LAS VEGAS, a municipal corporation of the State of Nevada (the "City"), and the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body, corporate and politic, duly organized, existing and operating under and by virtue of the Community Redevelopment Law of the State of Nevada (the "Agency"),

WITNESSETH:

WHEREAS, the City has heretofore created the Agency, with all of the rights, privileges, powers, duties, obligations and immunities that are set forth in NRS 279.382 to 279.680, inclusive, for the purpose of improving, modernizing, rehabilitating, revitalizing and redeveloping the downtown area of the City and has adopted, in connection therewith, a redevelopment plan that designates a redevelopment area (the "Redevelopment Area"); and

WHEREAS, figures from previous years with respect to the sources of the parking revenues of the City indicate that such sources will generate approximately \$3,500,000.00 in each of the future years; and

WHEREAS, the vast majority of such parking revenues are generated within the Redevelopment Area; and

WHEREAS, the Agency has previously issued its "Tax Increment Revenue Bonds (City of Las Vegas Redevelopment Project Series 1986A" (the "1986A Bonds"), which are no longer outstanding, its "Tax Increment Insured Refunding Parity Lien Revenue Bonds, Series 1995A" (the "1995A Bonds"), and its "Taxable Tax Increment Revenue Refunding Bonds, Series 1998" (the "1998 Bonds", together with the 1986A Bonds and 1995A Bonds and any other obligations which may be issued with a lien on the Senior Bond Funds (as herein defined) which is on a parity with the lien of the 1986A Bonds, 1995A Bonds and 1998 Bonds, (the "Senior Bonds"); and

WHEREAS, the City Council of the City has previously determined that it would be appropriate to make a portion of such parking revenues available to the Agency for use by the Agency in paying, as and when they become due, the annual installments of the principal of, premium, if any, with respect to and interest on the Senior Bonds; and

WHEREAS, to provide additional security for the Senior Bonds, the City and the Agency have previously entered into a Parking Fund Agreement dated August 14, 1986, as amended by the Amendment to Agreement made and entered into as of December 5, 1986, and as further amended by Second Amendment to Parking Fund Agreement made and entered into as of the 1st day of December, 1989 (collectively the "Original Agreement"); and

WHEREAS, the Agency has previously issued its "Tax Increment Subordinate Lien Revenue Bonds (Fremont Street Project), Series 1994A" (the "1994A Bonds) and its "Tax Increment Subordinate Lien Refunding Revenue Bonds, Series 1995B" (the "1995B Bonds") and to provide additional security for the 1994A Bonds and 1995B Bonds, the City and the Agency have previously entered into the Amended and Restated Parking Fund Agreement, dated as of

June 18th, 1994, as amended by the 1995 Amendment dated as of June 1, 1995 (collectively, the "1994 Agreement"); and

WHEREAS, the Agency proposes to issue its "Tax Increment Subordinate Lien Revenue Refunding Bonds, Series 2003A" (the "2003A Bonds") to refund the 1994A Bonds; and

WHEREAS, the City and the Agency wish to confirm the use of a portion of the City's parking revenues to provide additional security for the 1995B Bonds and 2003A Bonds and to amend and restate the 1994 Agreement; and

WHEREAS, the City Council of the City determines that it would be appropriate to make a portion of the City's parking revenues available to the Agency for the use by the Agency in paying, as and when they become due, the annual installments of the principal of, premium, if any, with respect to and interest on the 1995B Bonds and the 2003A Bonds and any other obligations which may be issued with a lien on the Subordinate Bond Funds (as herein defined) which is on a parity with the lien of the 1995B Bonds and 2003A Bonds (the "Subordinate Bonds"); and

WHEREAS, the Agency desires to accept such parking revenues as are made available to it by the City and to pledge the same to the payment, as and when they become due, of the annual installments of the principal of, premium, if any, with respect to and interest on the Senior Bonds and the Subordinate Bonds (collectively, the "Bonds");

NOW, THEREFORE, for and in consideration of the premises, of the mutual promises and agreements which are hereinafter contained and of other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by each of the parties hereto, said parties do hereby agree as follows:

1. The City hereby pledges and agrees to pay to the Agency, out of its parking meter revenues and the revenues which it derives from fines and forfeitures with respect to parking violations and exclusive of any revenue that it derives from the lease of its parking garages which are situate within the Redevelopment Area, (the "Parking Revenues") (a) the sum of Eight Hundred Thousand and No/100ths Dollars (\$800,000.00) each fiscal year (the "Senior Bond Funds") until the Bonds have been fully paid or adequate provision for the payment thereof has been made, for the uses and purposes that are hereinafter set forth; and (b) the sum of Six Hundred Thousand and No/100ths Dollars (\$600,000.00) each fiscal year (the "Subordinate Bond Funds") until the Subordinate Bonds have been fully paid or adequate provision for the payment thereof has been made, for the uses and purposes that are hereinafter set forth. The Parking Revenues received by the City shall immediately be subject to the lien of this pledge without any physical delivery thereof, any filing or further act; and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City (except as herein otherwise provided) irrespective of whether such parties have notice thereof. The lien of this pledge and the obligation to perform the contractual provisions hereby made shall have priority over any and all other obligations and liabilities of the City payable from the Parking Revenues.

2. The Agency hereby agrees to use the Senior Bond Funds that are made available to it by the City hereunder for the sole purpose of pledging the same, as and when such funds are needed, first, to the payment, as and when they become due, of the annual installments of the principal of, premium, if any, with respect to and interest on the Senior Bonds and second, to the payment, as and when they become due, of the annual installments of the principal of, premium, if any, with respect to and interest on the Subordinate Bonds. The Agency hereby agrees to use the Subordinate Bond Funds that are made available to it by the City hereunder for the sole purpose of pledging the same, as and when such funds are needed, to the payment, as and when they become due, of the annual installments of the principal of, premium, if any, with respect to and interest on the Subordinate Bonds.

3. The Agency further agrees that, if, at the end of any fiscal year, the funds that are made available to the Agency by the City hereunder, or any part thereof, are not needed to pay the installments of the principal of, premium, if any, with respect to and interest on the Bonds that became due during that fiscal year, the right to the use of such funds, or such part thereof remaining, for such purpose as the City sees fit, shall revert to the City and such funds, or such part thereof remaining, shall be paid to the City.

4. The City hereby covenants with the Agency as follows:

A. The City shall pay to the Agency its Parking Revenues, when, as and if received, up to the maximum amount of One Million Four Hundred Thousand (\$1,400,000) in each fiscal year as herein provided (the "Pledged Parking Revenues").

B. The City shall not create or permit to be created any other liens or encumbrances on the Pledged Parking Revenues, provided that nothing herein shall prevent the City from issuing bonds or incurring other obligations with a lien on the Pledged Parking Revenues which is subordinate to the lien on the Pledged Parking Revenues of this Agreement.

C. The City shall continue to maintain its parking meters, and its rates for parking at such parking meters and its fines and forfeitures with respect to parking violations in amounts which will be sufficient to provide in each fiscal year Parking Revenues in an amount of not less than One Million Four Hundred Thousand (\$1,400,000).

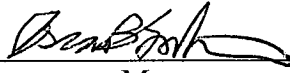
5. It is mutually agreed that this Agreement shall not be amended if, in the opinion of a nationally recognized bond counsel, acceptable to the Agency and the trustees under the indentures of trust pursuant to which the Bonds are issued, the proposed amendment will cause the interest on any of the Bonds which has been paid or which is payable to be included in gross income of the owner thereof for the purpose of federal income taxation.

6. This Agreement shall take effect upon delivery of the 2003A Bonds and shall remain in full force and effect until the Bonds are no longer outstanding and the Original Agreement shall be superseded by this Agreement; provided that if for two consecutive fiscal years the amount equal to the Pledged Property Tax Revenues (as defined in the 2003A Indenture of Trust dated as of June 15, 2003 (the "2003 Indenture") pursuant to which the 2003A Bonds are issued) received in each fiscal year minus the debt service on the Senior Bonds due in each fiscal year equals one hundred fifty percent (150%) of the Maximum Annual Debt Service

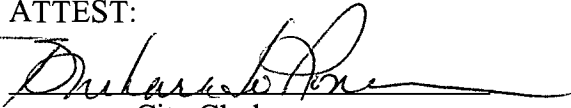
(as defined in the 2003A Indenture) on the Subordinate Lien Bonds, this Agreement may terminate, at the option of the City, in which case the Original Agreement shall become effective for the Senior Bonds.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

CITY OF LAS VEGAS

By: 
Mayor

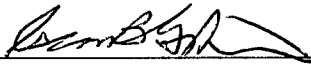
ATTEST:


City Clerk

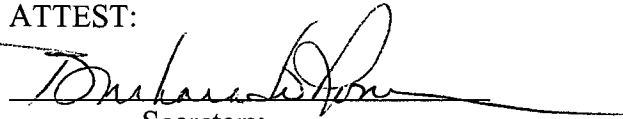
APPROVED AS TO FORM:

 8/4/03
Date

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By: 
Chairman

ATTEST:


Secretary

APPROVED AS TO FORM:

 8/1/03
Date