

RESOLUTION

WHEREAS, the City of Las Vegas, Nevada (the "City" herein), is the governmental entity which is responsible for providing for the public health, safety and general welfare of those individuals who reside within its corporate boundaries; and

WHEREAS, pursuant to the provisions of Section 2.240 of its City Charter, the City is authorized to provide for the needs of the public for parking in its central business district by acquiring, improving, equipping, operating and maintaining off-street public parking facilities; and

WHEREAS, in 1961, pursuant to that authorization, the City retained the services of a parking consultant, Wilber Smith and Associates, to assess and evaluate the needs of the public for off-street public parking in its central business district and to make appropriate recommendations to satisfy those needs; and

WHEREAS, that study indicated that there was a need for additional off-street public parking facilities in the central business district of the City and recommended the construction thereof; and

WHEREAS, in order to implement that recommendation, the City issued its Off-Street Parking Revenue and General Obligation Bonds, Series February 1, 1966, and, with the proceeds thereof, proceeded to acquire, through the exercise of its power of eminent domain which is conferred upon it by said Section 2.240 of its City Charter, the necessary real property for the recommended public off-street parking facilities and to construct thereon the two municipal parking facilities which are situated at and commonly known as 333 East Ogden Avenue, Las Vegas, Nevada (the "Ogden Avenue Facility" herein), and 222 East Carson Avenue, Las Vegas, Nevada; and



1 WHEREAS, since those municipal parking facilities were
2 constructed, many of the downtown hotels and Clark County have
3 constructed additional off-street parking facilities in the
4 central business district of the City, with the apparent result
5 that the need for such municipal parking facilities has diminished
6 considerably; and

7 WHEREAS, in order to confirm that fact, the City retained
8 the services of another parking consultant, International Parking
9 Design, Inc., to evaluate the comparability of the physical
10 structure and location of Clark County's newly constructed
11 parking facility which is situate at the southwest corner of the
12 intersection of Casino Center Boulevard and Bridger Avenue with
13 the physical structure and location of the City's parking facility
14 which is located at 222 East Carson Avenue in terms of satisfying
15 the public need for off-street public parking in the central
16 business district of the City; and

17 WHEREAS, that study indicates that Clark County's newly
18 constructed parking facility will provide the public with a
19 parking facility which is superior in structure and comparable in
20 location to the City's facility on Carson Avenue and will adequately
21 satisfy the public need for off-street public parking in the
22 central business district of the City, to the same extent as does
23 the City facility; and

24 WHEREAS, since the Ogden Avenue Facility is of identical
25 construction as is the facility which is located at 222 East Carson
26 Avenue and is only two blocks removed therefrom, it would appear,
27 and the City Council of the City by this Resolution so determines,
28 that the aforesaid findings of International Parking Design, Inc.,
29 apply with equal force to the Ogden Avenue Facility; and

30 WHEREAS, the City has operated its two public off-street
31 parking facilities over the years at a financial loss, and such
32 operation, if it remains the responsibility of the City, will

1 continue to impose a substantial financial burden and drain upon
2 the City's financial resources; and

3 WHEREAS, in order partially to eliminate this burden and
4 drain upon its financial resources, the City leased its parking
5 facility which is located at 222 East Carson Avenue to a private
6 operator, effective April 2, 1984; and

7 WHEREAS, the City desires completely to eliminate this
8 burden and drain upon its financial resources and, at the same
9 time, continue to make the Ogden Avenue Facility available for
10 off-street parking by means of a lease of that facility to a
11 private operator; and

12 WHEREAS, based partially upon the study by International
13 Parking Design, Inc., the City Council of the City has determined,
14 and by this Resolution does so determine, that the needs of the
15 public for off-street parking in the central business district
16 of the City will continue adequately to be met by the downtown
17 hotels' parking facilities and by Clark County's newly constructed
18 parking facility in the same manner and to the same extent as
19 does the Ogden Avenue Facility and that, accordingly, the Ogden
20 Avenue Facility may be disposed of in the manner which is pre-
21 scribed by law; and

22 WHEREAS, NRS 268.050 sets forth the exclusive procedure
23 whereby property which has been acquired by an incorporated city,
24 either through the exercise of the power of eminent domain or
25 under the threat of eminent domain proceedings, may be disposed
26 of; and

27 WHEREAS, NRS 268.050(2) provides that, before any such
28 disposal, the governing body of a city must refer the proposal
29 so to do to the planning commission of the city for its considera-
30 tion and recommendation;

31 WHEREAS, by resolution adopted by said City Council at
32 its meeting which was held on Wednesday, April 4, 1984, the

1 proposal to lease the Ogden Avenue Facility, for the term and
2 upon the terms and conditions which were set forth in the proposed
3 Indenture of Lease attached to said resolution, was referred to
4 the Las Vegas Planning Commission with the request that that body
5 consider said proposal and submit its recommendations thereon to
6 said City Council; and

7 WHEREAS, said City Council received and accepted the
8 recommendations of the Las Vegas Planning Commission at its
9 meeting which was held on Wednesday, April 18, 1984, and set a
10 public hearing on such proposal to be held at 2:00 p.m. on
11 Wednesday, May 2, 1984; and

12 WHEREAS, said public hearing was convened, conducted
13 and concluded on that date, and, based upon discussions thereat
14 and upon other factors,

15 IT IS HEREBY RESOLVED, DECLARED AND DETERMINED by the
16 City Council of the City of Las Vegas, Nevada, at a regular
17 meeting thereof held on the 2nd day of May, 1984, that, in view
18 of the drain upon the financial resources of the City which has
19 resulted, in part, from the operation and maintenance of the
20 Ogden Avenue Facility, the continued operation and maintenance
21 of said Facility will be unnecessarily burdensome and that the
22 lease of said Facility to the private operator whose proposal,
23 submitted by sealed bid or at public auction, offers the highest
24 total rent for said Facility in accordance with the proposed
25 Indenture of Lease, a copy of which is attached hereto and by this
26 reference made a part hereof, will be otherwise advantageous to
27 the City and its citizens.

28 IT IS FURTHER RESOLVED, DECLARED AND DETERMINED that
29 the parcels of land which were originally acquired by the City
30 through the exercise of its power of eminent domain on which to
31 construct the Ogden Avenue Facility have been combined with each
32 other and improved in such a manner as would reasonably preclude

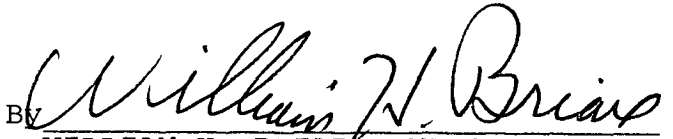
1 the division of said parcels, together with the parcels with
2 which they have been combined, into separate parcels.

3 BE IT FURTHER RESOLVED, DECLARED AND DETERMINED that
4 all of the revenues which will be derived by the City from the
5 lease of the Ogden Avenue Facility, together with all of the
6 revenues which will be derived by the City from the lease of the
7 City's parking facility located at 333 East Carson Avenue and
8 which have not been otherwise appropriated, be, and they hereby
9 are, directed to be placed in a special fund which is dedicated
10 solely to financing improvements in the downtown area of the City.

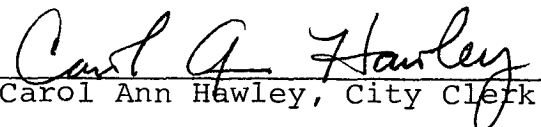
11 BE IT FURTHER RESOLVED, DECLARED AND DETERMINED that
12 the administrative staff of the City be, and it hereby is, author-
13 ized, empowered and directed to solicit bids for the lease of the
14 Ogden Avenue Facility in accordance with the proposed Indenture
15 of Lease attached hereto.

16 PASSED, ADOPTED and APPROVED this 2nd day of May, 1984.

17 APPROVED:

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19 
20 BY WILLIAM H. BRIARE, MAYOR

21 ATTEST:

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23 Carol Ann Hawley, City Clerk
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