FIRST SUPPLEMENTAL INTERLOCAL CONTRACT
BRENT LANE AND TULE SPRINGS
DETENTION BASINS

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the _____ day of _____, 2006 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2002 Master Plan update as Structure Numbers BRDB 0000, BRDB 0032, BRDB 0033, RACO 0000, TSDB 0000, TSDB 0011 and TSDB 0012 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

WHEREAS, an Interlocal Contract for the engineering design for Brent Lane and Tule Springs Detention Basin was entered into between the DISTRICT and the CITY on February 9, 2006; and

WHEREAS, the CITY wishes to increase funding for engineering design, and include a line item for aesthetic enhancements; and

WHEREAS, the PROJECT is to be used as a detention basin and is on state park land; and

WHEREAS, the Land and Water Conservation Fund Act of 1965 (and Related Laws) require continued use of the PROJECT as a park; and

WHEREAS, the PROJECT be used for flood control purposes as long as the State and Federal requirements are incorporated; and

WHEREAS, the improvements required must include passive recreation; and

WHEREAS, utilizing the State land could provide a land value savings for the DISTRICT of approximately $32,000,000; and

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION II- PROJECT COSTS will be revised to read as follows:

The DISTRICT agrees to fund project costs within the limits specified below:

1. The engineering and design shall not exceed $1,183,600.

2. Environmental costs shall not exceed $50,000.

3. Architectural costs shall not exceed $120,000.

4. The total cost of the contract shall not exceed $1,353,600 which includes all of the items described in the paragraphs above.

5. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.

6. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

All other sections of the interlocal contract dated February 9, 2006 shall remain unchanged.

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IN WITNESS WHEREOF, this First Supplemental Interlocal contract is hereby executed as of the date first set forth above.

Date of District Action: REGIONAL FLOOD CONTROL DISTRICT

_____ BY: _____

ATTEST: LAWRENCE L. BROWN, III, Chairman

_____

CAROLYN FRAZIER
Secretary to the Board

Approved as to Form:

BY: _____
CHRISTOPHER FIGGINS
Chief Deputy District Attorney

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Date of Council Action: CITY OF LAS VEGAS

_____ BY: _____

ATTEST: OSCAR B. GOODMAN, Mayor

_____

BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM
Thomas R. Green 9/1/06
Thomas R. Green Date
Deputy City Attorney

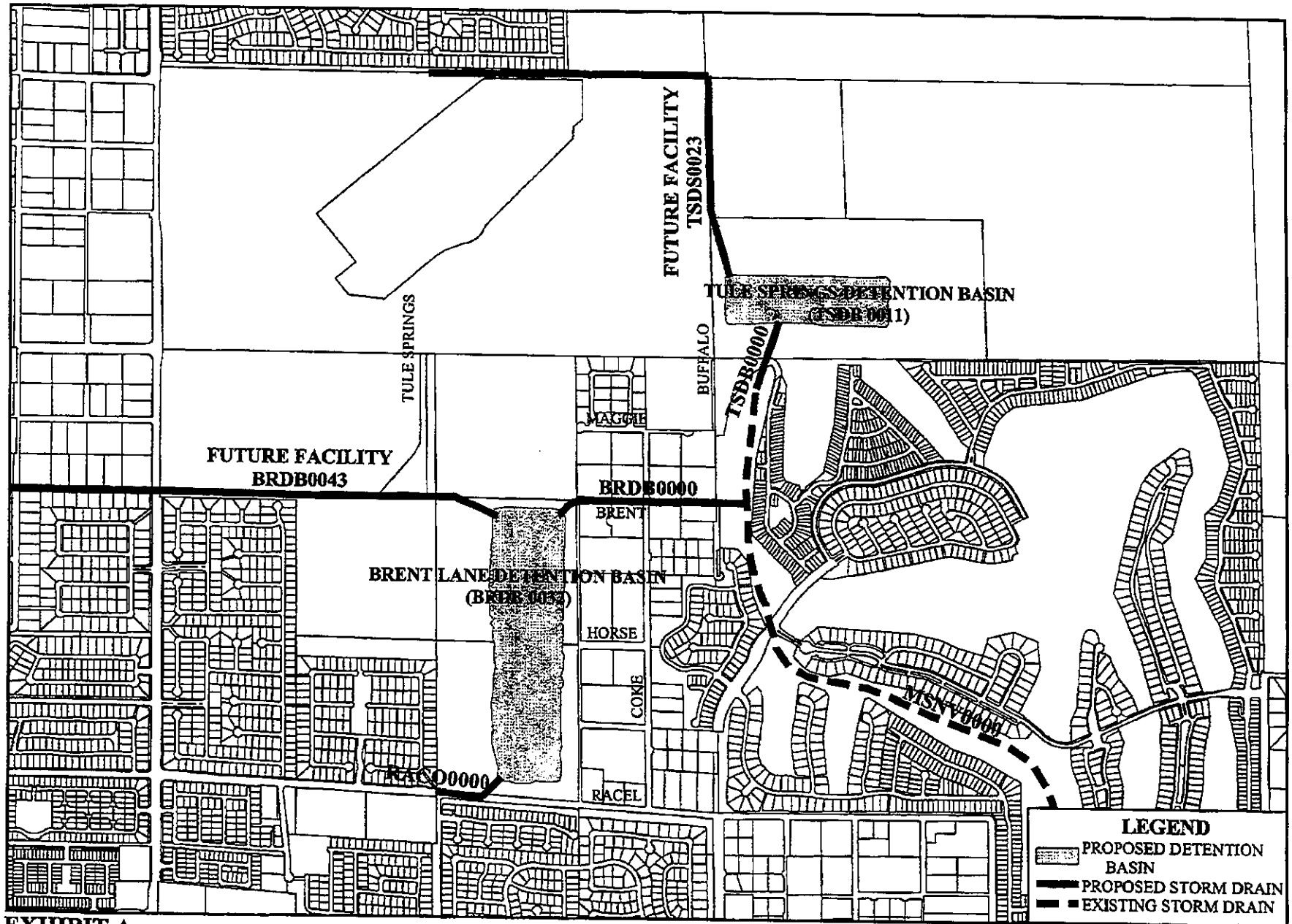

EXHIBIT A

BRENT LANE AND TULE SPRINGS DETENTION BASINS

(LAS.22.D.06)

F:\#Depot\Engineering_Planning\Flood\ARCVIEW\Exhibit A - Brent and Tule DB