



CONVENTION AND VISITORS AUTHORITY

**REGULAR MEETING OF THE BOARD OF DIRECTORS  
MAY 13, 2008  
MINUTES**

The Regular Meeting of the Board of Directors of the Las Vegas Convention and Visitors Authority was held the 13<sup>th</sup> day of May 2008 at the Las Vegas Convention Center, 3150 Paradise Road – Las Vegas, Nevada 89109. This meeting had been properly noticed and posted in compliance with the “Nevada Open Meeting Law”.

**I. OPENING CEREMONIES**

CALL TO ORDER

Chairman Oscar Goodman called the meeting to order at 9:01 a.m. The following Members were present, constituting a quorum thereof.

**Mayor Oscar Goodman, Chairman**

**Mr. Keith Smith, Vice Chairman**

**Mayor James Gibson, Sec./Tr.....** Entered after Roll Call

Charles Bowling

Councilman Larry Brown

Commissioner Tom Collins

Mayor Susan Holecheck

Mr. Tom Jenkin

Ms. Kara Kelley

Mayor Michael Montandon

Mr. Scott Nielson

Councilman Mike Pacini

Mr. Andrew Pascal

Commissioner Rory Reid

LVCVA  
Executive  
Staff in  
Attendance

Rossi Ralenkotter, President/CEO

Terry Jicinsky, Senior Vice President – Marketing Division

Luke Puschnig, Legal Counsel

E. James Gans, Senior Vice President – Operations Division

INVOCATION  
FLAG SALUTE

Pastor Travis Ogle - Hope Baptist Church, presented the invocation.  
The Flag Salute followed the invocation.

**MEMBER JAMES GIBSON ENTERED THE MEETING**

**II. APPROVAL OF THE AGENDA / MINUTES**

APPROVAL OF  
THE AGENDA  
and  
APPROVAL OF  
THE MINUTES

President Rossi Ralenkotter informed the Board that the May 13, 2008 Agenda and the Minutes of the April 8, 2008 Regular Meeting of the Board of Directors were in order for approval.

**Vice Chairman Keith Smith moved and it was carried by unanimous vote of the members present to approve the May 13, 2008 Agenda and the Minutes of the April 8, 2008 Board of Directors’ Meeting as presented.**

### III. PRESENTATIONS

#### NATIONAL TOURISM WEEK

##### Economic Impacts of Tourism

In 1983, Congress established National Tourism Week to be held in May each year to help promote travel to and within the United States.

This year, National Tourism Week is scheduled to take place May 10-18, 2008 with the theme: "Discover Great American Traditions".

Staff presented a Video and a brief PowerPoint updating the Board of Directors on the economic impacts and accompanying benefits that are generated by tourism for Clark County.

This is an information item. No Board action required.

### IV. STAFF REPORTS

#### MARKETING DIVISION

##### AWARDS Fourth Quarter 2007

The following awards were received by the Las Vegas Convention and Visitors Authority during the First Quarter 2008:

##### Interactive Media

- Best in Class -Travel & Tourism

##### RV West Magazine

- Canada/Gold Award

##### Affluent Traveler

- Award of Distinction

##### Shop America SASI Awards

- Awards of Distinction

##### Agent @ Home Magazine

- Best Convention and Bureau Award

##### TravelAge West Magazine

- WAVE Award

##### Las Vegas Advertising Federation ADDY Awards (2007)

- Gold/Bronze/Silver - (Misc.)

This is an information item. No Board action required.

##### MESQUITE TEAM ROPING CHAMPIONSHIPS

The 15<sup>th</sup> Annual "Mesquite Team Roping Championships" is a sanctioned USTRC team event. This year's event was held in Mesquite, Nevada, May 10-11, 2008, with an approximate attendance of 1,222 out-of-town visitors with an estimated non-gaming economic impact of \$485,977.

The *Las Vegas Events* Board of Directors approved the funding of this event at their April 9, 2008 Board of Directors' meeting.

##### Fiscal Impact:

FY 2007/2008 – Estimated Expenditure: \$30,000

**Member James Gibson moved and it was carried by unanimous vote of the members present to approve the distribution of funds to *Las Vegas Events* in the amount of \$30,000 to fund the 15<sup>th</sup> Annual Mesquite Team Roping Championships held May 10-11, 2008 in Mesquite, Nevada. (Mayor James Gibson's vote not registered.)**

**OPERATIONS DIVISION**

TRANSFER OF FUNDS  
 Interest Earned

Governmental entities use fund accounting to aid management in demonstrating compliance with financial, legal and contractual provisions. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Funds segregate revenues and expenditures according to their intended purpose.

The General Fund is the primary operating fund of the Las Vegas Convention and Visitors Authority. The Capital Projects Fund is used to account for the acquisition of capital assets and the construction of new facilities. The Debt Service Funds account for the accumulation of resources to pay principal and interest payments on the Las Vegas Convention and Visitors Authority's outstanding debt issues. All resources, both the Capital and Debt Service Funds are derived from transfers from the General Fund. The only revenues attributable directly to the Capital and Debt Service Funds are interest earnings in investments, and Budgetary Policy requires those earnings to be transferred to the General Fund.

Interest has been received for investments in the following funds and is pending transfer to the General Fund:

Capital Fund	\$ 2,025,732.77
1996 Bond Fund	306.95
1998A Bond Fund	135,012.50
1999 Bond Fund	17,834.30
2003 Bond Fund	1,860.41
2005 Bond Fund	55,671.84
2007 Bond Fund	42,167.38
MPEP Debt Service Fund	150,157.28
12/07 Bond Fund	418.06
	<u>\$ 2,429,161.49</u>

**Member James Gibson moved and it was carried by unanimous vote of the members present to approve the transfer of interest earned in the amount of \$2,429,161.49 from the Capital and Bond Funds to the General Fund.**

PUBLIC HEARING ON THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$300,000,000

At the April 8, 2008 Board of Directors' Meeting, the Board authorized the Las Vegas Convention and Visitors Authority to publish the Notice of Public Hearing. Said Notice was published on April 12, 2008 in a newspaper of general circulation. The Notice of Public Hearing provides notice to the public regarding the time and location that they may have an opportunity to be heard on this matter. The action before the Board of Directors at this meeting was to conduct that Public Hearing. This action does not obligate the LVCVA to issue the bonds. The final amount of the issue will be determined at a later date by the Board of Directors.

**Chairman Oscar Goodman opened the Public Hearing regarding the issuance of General Obligation (Limited Tax) Transportation Bonds (Additionally secured with pledged revenues) of Clark County acting by and through the LVCVA in the maximum principal amount of \$300,000,000. There being no comments from the public, the Chairman closed the Public Hearing.**

### **OPERATIONS DIVISION (Continued)**

#### **LVCVA BUDGET AND STATISTICAL REPORT**

Internal policies require that interim financial reports, which permit comparison of recorded transactions and account balances with the approved budget be prepared and distributed to the Board of Directors on a monthly basis. The *Las Vegas Convention and Visitors Authority Budget and Statistical Report for the period ending March 31, 2008* was presented to the Board for their review. Vice President of Finance Brenda Siddall discussed a few minor changes to page four of the Report.

This is an information item. No Board action required.

### **EXECUTIVE DIVISION**

#### **LEGAL COUNSEL'S REPORT**

Legal Counsel Luke Puschnig reported that the 'Tovar' case is completed.

He explained that in June 2005, the LVCVA intervened into a lawsuit filed by *R&R Partners* against Dorothy Tovar and *Adrenalin Sports*. The lawsuit originally filed in March 2004 sought to obtain damages and an injunction from the Defendants for infringement on the LVCVA's trademark phrase "What Happens Here, Stays Here". Ms Tovar sought to be able to use the goodwill established by the LVCVA's advertising campaign to sell clothing and other assorted items with the phrase "What Happens In Vegas, Stays In Vegas". In essence, Ms Tovar was seeking to profit off of the LVCVA's successful advertising campaign and the "What Happens Here, Stays Here" trademark.

With the help of the law firm of *Morrison & Foerster*, the LVCVA was successful in obtaining a judgment on a Motion For Summary Judgment as a Plaintiff in a trademark infringement case.

The LVCVA also obtained a Damage Award from the Federal District Court.

Additionally, the LVCVA was successful in obtaining an order from the Court that conveyed to the LVCVA its various rights to the phrase "What Happens In Vegas, Stays In Vegas". Subsequently, the LVCVA was again successful as a result of very aggressive litigation tactics in obtaining payment of the Damage Award.

The Defendants filed an Appeal in the Ninth Circuit Court of Appeals, and on April 8, 2008, and the Ninth Circuit dismissed the Appeal. This case is complete.

Member James Gibson acknowledged Luke Puschnig for his direction and management of the legal activities of this case on behalf of the Convention Authority. Member Gibson stated that, as a Board Member, he has worked with Mr. Puschnig and found him to be professional, to have an understanding of the issues in this case, and knowledge of the nuances of this kind of litigation, which has proven to be especially valuable to this Board.

Member Gibson asked Mr. Puschnig to pass along the Board's appreciation to the team of *Morrison & Foerster* for the incredible job they did on this case.

Chairman Oscar Goodman added that it is extraordinary in a case like this to collect damages. That happens very rarely in a lawsuit of this nature. He expressed congratulations to those involved on behalf of the LVCVA.

LAS VEGAS EVENTS'  
REPORT

Mr. Pat Christenson, President of *Las Vegas Events* presented the survey results for the Mountain West Conference Championships that were held March 11-15, 2008. He listed upcoming events to be held May-June 2008.

This is an information item. No Board action required.

Member Tom Collins reported that the [Logendale] Rodeo was a success again this year.

**V. COMMITTEE REPORTS**

There were no committee meetings during the time period of April 2008-May 2008.

**VI. DIRECTORS' COMMENTS**

There were no additional comments from the Board Members.

**VII. COMMENTS FROM THE FLOOR BY THE PUBLIC**

Mr. Ted Russell, a resident of Las Vegas, addressed the Board with his opinion on miscellaneous topics, including: "*Las Vegas 360*"; Vote 'No' on the initiatives; European Union and travel to the United States; Congratulations to Stations Casino and to Luke Puschnig; and the 'foreign dollar'. He gave his endorsement for [*Councilman*] Larry Brown, [*Senator*] Dina Titus, and [*Congresswoman*] Shelley Berkley, and said he believed [*Barack*] Obama will win the [*Presidential*] election.

Mr. Jon Aster White, President of the National Las Vegas Entertainment Hall of Fame, has addressed the Board of Directors at the previous three meetings to introduce his plan to produce a television special ("Vegas Star Awards") and a 3-day weekend entitled "The Hall of Fame Weekend" in August 2008. He informed the Board that he is continuing to work out the final details, and hopes to bring the necessary paperwork for this event before the Board next month.

**VIII. ADJOURNMENT**

There being no further business to come before the Board of Directors, Chairman Oscar Goodman adjourned the meeting at 9:54 a.m.

Respectfully submitted,

Date Approved: June 10, 2008

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Carol Fergen  
Executive Assistant to the Board

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Oscar Goodman  
Chairman