



Agenda Item No.: 4.

AGENDA SUMMARY PAGE
SPECIAL CITY COUNCIL MEETING OF: JULY 25, 2012

DEPARTMENT: ECONOMIC AND URBAN DEVELOPMENT

DIRECTOR: WILLIAM ARENT

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing for possible action to receive testimony for and against the proposed Redevelopment Plan for Redevelopment Area 2 and to provide any direction deemed necessary or appropriate - Ward (Tarkanian)

Fiscal Impact

☐ No Impact

☐ Augmentation Required

☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The purpose of the proposed Redevelopment Plan is to create a new redevelopment area within the City of Las Vegas. The proposed area is named Redevelopment Area 2 (RDA-2). Pursuant to all provisions of the Community Redevelopment Law (NRS 279.382 et seq.), City Council is to receive testimony for and against the proposed Redevelopment Plan for RDA-2.

RECOMMENDATION:

Receive testimony for or against the proposed Redevelopment Plan for Redevelopment Area 2 and provide any direction deemed necessary or appropriate.

BACKUP DOCUMENTATION:

1. City of Las Vegas Redevelopment Plan for Redevelopment Area 2
2. Rules Governing Participation By Property Owners
3. City of Las Vegas Redevelopment Agency Relocation Rules and Regulations
4. Redevelopment Agency Report to the Las Vegas City Council
5. Map of Proposed Area for New Redevelopment Area 2
6. Maps of Redevelopment Area 2
7. Submitted at Meeting PowerPoint Presentation by Staff and Written Comments from Charleston Neighborhood Preservation by Juanita Clark

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

BILL ARENT, Director of Economic and Urban Development, discussed the proposed new redevelopment area (RDA2) and reviewed a PowerPoint in detail as it played on overhead monitors. He clarified that the initial valuation of the tax base is just over \$287 million and while it sounds quite large, actually accounts for only 2 percent of the entire City's tax base. Moreover, the RDA2 is only get revenue from new development. MR. ARENT went on to explain that blight is a legal definition that is required to be part of the RDA2 agreement and emphasized how the City wants to partner with property owners to make their businesses better,

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to support them and to reinvest in the community. Property owners do have the option to remove their property from the proposed RDA2 by sending a signed letter to the City prior to the adoption of the RDA2.

MR. ARENT confirmed for COUNCILMAN COFFIN that the City had utilized eminent domain in the past, but a City ordinance passed in 2006 prohibited the use of eminent domain for private-to-private transactions. The majority of transactions since that time have been private-to-private and eminent domain has not been utilized. There have occasionally been transactions that are willingly entered into by both the seller and buyer. He clearly stated that it is not staff's desire to use eminent domain.

JUANITA CLARK, Charleston Neighborhood Preservation, submitted her comments for the record. She discussed concerns about the apparent omission of the word assistance from the subtitle of the RDA2's Rules and Regulations. CITY ATTORNEY BRAD JERBIC clarified that the City will provide assistance and that state law requires the City to do so even if that word is omitted from the subtitle. MR. ARENT confirmed for JUANITA CLARK that there is zero federal tax money being used for the RDA2. MAYOR GOODMAN and CITY ATTORNEY JERBIC to read MS. CLARK'S statement, which he did. MS. CLARK thanked the Mayor and Councilmembers for the job they are doing.

MR. ARENT clarified for the Mayor and Councilmembers that today's agenda does not include acceptance of the documents and that technical questions can be addressed prior to the adoption of the RDA2. CITY ATTORNEY JERBIC concurred and explained to the Mayor that the hearing is to allow the public to be heard verbally in writing or both. CITY MANAGER ELIZABETH FRETWELL stated that staff could present the Mayor and Councilmembers with a statement prior to the August 15, 2012, City Council meeting that addresses how each of the technical issues were addressed.

JOHN DIBELLA, DiBella Flowers and Gifts, voiced his full support for the RDA2.

STEVEN FINK, Las Vegas real estate professional, voiced his support of the Mayor and Councilmembers efforts to expand the Redevelopment Area. He stated that his support stems from involvement with the Allure Condominium project that never would have been built if not for the first Redevelopment Area.

CARL PLUNKETT, Las Vegas resident, questioned if any members of the Council had actually read all of the documents pertaining to the RDA2. He recently foreclosed on a property, but only heard about this through the Review Journal. He found the phrase eminent domain over and over in the documentation even though staff stated the City would not use it. He questioned whether opting out of the RDA2 would remove him from the requirements of the RDA2. CITY ATTORNEY JERBIC stated that no action would be taken today, but provides an opportunity for individuals to voice their support or opposition and indicate whether they will be submitting written opt-out requests to be considered by the City Council. However, COUNCILWOMAN TARKANIAN stated that a written opt out request will remove properties from the RDA2. MR. PLUNKETT explained that the RDA2 appears to add another layer of bureaucracy to the business process. CITY MANAGER FRETWELL asked SCOTT ADAMS, Chief Urban

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Redevelopment Officer for the City of Las Vegas and Chief Operating Officer of the Redevelopment Agency, pointed out that when you create a new agency, there is a lot of paperwork driven by state statute. The City has established that they will not use eminent domain, but the state statute requires its presence in the documents.

COUNCILMAN COFFIN stated there have been mistakes made by the City, County and State in the past, but the statutory authority continues to supersede a city ordinance. He stated that City officials do not want to use eminent domain. The Councilman received confirmation from MR. ARENT that there have only been two official requests to opt-out from the RDA2. CITY MANAGER FRETWELL clarified that once the RDA2 is established and has been voted on by the City Council, owners will no longer be able to opt-out unless the entire process is amended. In response to MR. PLUNKETT, COUNCILMAN COFFIN stated that the benefits of the existing Redevelopment Area is visible when driving through Ward 3.

COUNCILMAN BARLOW explained that he has been involved with the Redevelopment Agency during his entire tenure with the City. The benefits of these areas include taxing and bonding abilities and the capture of incentives to remove blight. Since becoming a Councilman there has not been one instance of eminent domain imposed by the City. The City wants to work with the community to bring the developments they can embrace. MAYOR GOODMAN confirmed it is all for the greater good and received confirmation from MR. ARENT that the window of opportunity for opting out is within the next couple of weeks.

MIKE KEELER, Las Vegas property owner, stated that, like MR. PLUNKETT, he did not receive notice of the RDA2 or public hearing. He questioned whether the Decatur Boulevard median could be improved with RDA2 funds. MAYOR GOODMAN explained that roadways and medians are part of the Public Works initiatives, but it is also covered by the RDA2. COUNCILWOMAN TARKANIAN explained the Visual Improvement Program would allow for the improvement of aesthetics and the desire is to improve these aspects of the community.

A brief recess was held from 2:05 p.m. - 2:12 p.m. at CITY MANAGER ELIZABETH FRETWELL request so she could confirm that the correct data was used for mailing notices.

Following the recess, BILL ARENT, Director of Economic and Urban Development, read a portion of the Nevada Revised Statutes identifying how property owners are notified. He explained they use data from the County Assessor's Office (CAO) and surmised that the high volume of transactions experienced by the CAO may have resulted in some delays. He and his team are available to answer everyone's questions and concerns and would return calls the same day. After giving out contact names and numbers, MAYOR GOODMAN asked him to make that information available on the website.

MAYOR GOODMAN declared the Public Hearing closed.