

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 495 S. MAIN STREET
2ND FLOOR - COUNCIL CHAMBERS
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

JUNE 19, 2017
10:00 A.M.

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL. ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM LUANN D. HOLMES, CITY CLERK, AT THE CITY CLERK'S OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. Bill No. 2017-16 - For possible action - Amends the City's licensing and zoning regulations to delete categories for "bed and breakfast inn" and "boarding or rooming house," and to revise regulations and requirements pertaining to short-term residential rentals. Sponsored by: Councilwoman Lois Tarkanian [NOTE: This bill is being co-sponsored by Councilwoman Lois Tarkanian and Councilman Bob Beers]
4. Bill No. 2017-23 - For possible action - Ordinance creating City of Las Vegas Special Improvement District No. 813 -Summerlin Village 26 - Ward 4 (Anthony). Proposed by: David N. Bowers, Director of Public Works
5. Bill No. 2017-24 - For possible action - Ordinance concerning City of Las Vegas Special Improvement District No. 813 - Summerlin Village 26 - Ward 4 (Anthony) and assessing the cost of local improvements against the assessable property benefited by the local improvements. Proposed by: David N. Bowers, Director of Public Works
6. Bill No. 2017-25 - For possible action - Ordinance authorizing the issuance and sale by the City of Las Vegas Special Improvement District No. 813 (Summerlin Village 26) Local Improvement Bonds, Series 2017, approving the form of certain documents with respect to such bonds, and ratifying action taken by City officers toward the issuance of such bonds. Proposed by: Venetta Appleyard, Director of Finance
7. Bill No. 2017-26 - For possible action - Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City. Proposed by: Bradford R. Jerbic, City Attorney
8. Bill No. 2017-27 - For possible action - Adopts that certain development agreement entitled "Development Agreement For The Two Fifty," entered into between the City and 180 Land Co, LLC, et al., pertaining to property generally located at the southwest corner of Alta Drive and Rampart Boulevard. Sponsored by: Councilman Bob Beers

City of Las Vegas

9. CITIZENS PARTICIPATION: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the committee. No subject may be acted upon by the committee unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come forward and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited
10. ADJOURNMENT

ALL INTERESTED PERSONS ARE INVITED TO ATTEND: Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Thursday, 7:00 A.M. to 5:30 P.M.

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

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

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

SUBJECT:

CALL TO ORDER



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY CLERK

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ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **Consent** ☒ **Discussion****SUBJECT:**

Bill No. 2017-16 - For possible action - Amends the City's licensing and zoning regulations to delete categories for "bed and breakfast inn" and "boarding or rooming house," and to revise regulations and requirements pertaining to short-term residential rentals. Sponsored by: Councilwoman Lois Tarkanian [NOTE: This bill is being co-sponsored by Councilwoman Lois Tarkanian and Councilman Bob Beers]

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

This bill will amend the City's licensing and zoning regulations to delete categories for "bed and breakfast inn" and "boarding or rooming house," and to revise regulations and requirements pertaining to short-term residential rentals. The bill revisits a number of issues considered by the Council last summer in Bill No. 2016-52, a bill the Council declined to adopt. Among other things, this bill will require additional types of short-term residential rentals to obtain a special use permit in order to be established or to continue in operation.

RECOMMENDATION:

ADOPTION at the 6/7/2017 City Council Meeting pursuant to the 5/15/2017 Recommending Committee Meeting; At the 6/7/2017 City Council Meeting, bill was referred back to the 6/19/2017 Recommending Committee Meeting.

First Reading – 5/3/2017 First Publication – 5/25/2017

BACKUP DOCUMENTATION:

1. Bill No. 2017-16
2. Protest Email by Stephen P. Grogan on behalf of the Scotch Eighty Owners Association
3. Backup Submitted from the May 15, 2017 Recommending Committee Meeting
4. Backup Submitted after the May 15, 2017 Recommending Committee Meeting
5. Backup Submitted from the June 5, 2017 Recommending Committee Meeting

BILL NO. 2017-16

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S LICENSING AND ZONING REGULATIONS TO DELETE CATEGORIES FOR "BED AND BREAKFAST INN" AND "BOARDING OR ROOMING HOUSE," REVISE REGULATIONS AND REQUIREMENTS PERTAINING TO SHORT-TERM RESIDENTIAL RENTALS, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Lois Tarkanian

Summary: Amends the City's licensing and zoning regulations to delete categories for "bed and breakfast inn" and "boarding or rooming house," and to revise regulations and requirements pertaining to short-term residential rentals.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 46, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.46.020: No person shall engage in the business of operating a hotel, motel, [roominghouse, bed and breakfast establishment] or other establishment that rents or holds out for rent rooms or other temporary accommodations on a daily basis or for a period of thirty days or less, with or without meals included in the rental rate, without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Chapter.

SECTION 2: Title 6, Chapter 46, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.46.140: Persons operating a hotel, motel, [roominghouse] or other establishment wherein rooms or other temporary accommodations are rented on a daily basis or for a period of thirty days or less, with or without meals included in the rental rate, shall [provided,] provide, keep and maintain a public register and shall require every person who rents or occupies a room or other temporary accommodation in such hotel, motel, roominghouse or establishment to write in such register his or her name and place of residence. Such registration shall be made on a page of the register properly dated with reference to the day of the year,

1 month and week and the time of day the person rents or arranges to occupy a room or temporary
2 accommodation shall also be therein entered. Such register shall be permanently and firmly bound and shall
3 not be of a loose-leaf nature.

4 SECTION 3: Title 6, Chapter 75, Section 10, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.75.010:** “Commercial vehicle” means a vehicle customarily used as part of a business for the
7 transportation of goods or people.

8 [“Daytime” means the period of time between 9:00 a.m. and 10:00 p.m. on a given day.

9 “Nighttime” means the period of time between 10:00 p.m. on one day and 9:00 a.m. on the
10 next succeeding day.]

11 “Hosting platform” means any electronic or other operating system, functioning in the
12 nature of a marketplace, by which an operator markets, advertises, offers, solicits customers for, or makes
13 available for commercial use a short-term residential rental.

14 “Operator” means any person who owns, leases, controls, manages or operates a short-term
15 residential rental unit or property.

16 “Short-term residential rental” means the commercial use, or the making available for
17 commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any
18 individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit
19 for a period of less than thirty-one consecutive calendar days. The term does not include a “community
20 residence,” “facility for transitional living for released offenders,” or any other facility with dwelling units
21 that is specifically defined in LVMC Chapter 19.18.

22 SECTION 4: Title 6, Chapter 75, Section 20, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.75.020:** (A) No person shall engage in the business of offering or operating a short-term
25 residential rental without first obtaining and thereafter maintaining a valid unexpired license pursuant to
26 this Chapter for each short-term residential rental unit. Where there are multiple dwelling units on the

1 same property, each unit must be licensed individually.

2 (B) If a short-term residential unit is managed by a person other than the licensee or a
3 principal of the licensee for that unit, that person must possess a valid license from the State of Nevada and
4 the City to manage property.

5 (C) The holder of a license under this Chapter is the person primarily responsible for
6 compliance with the obligations that are imposed on an operator by this Chapter, whether or not that person
7 owns the real property on which the short-term residential rental is located. In the case of a short-term
8 residential rental whose affiliated licensee is not the property owner, the property owner is secondarily
9 responsible for compliance.

10 SECTION 5: Title 6, Chapter 75, Section 40, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.75.040:** Each application for a short-term residential rental license shall contain or include the
13 following information and documentation:

14 (A) The name, signature, address and telephone number of the owner of the residential
15 dwelling to be associated with the license.

16 (B) The name, address and telephone number of any property manager or property
17 management firm that will be operating the short-term residential rental.

18 (C) The name, address and telephone number (including a telephone number that
19 provides for communication twenty-four hours a day) of the local contact person who will respond to
20 complaints regarding the condition, operation, or conduct of the occupants of the short-term residential
21 rental unit.

22 (D) The address of the residential dwelling proposed to be used as a short-term
23 residential rental.

24 (E) The number of bedrooms, [per the documentation listed with the Clark County
25 Assessor, and the applicable nighttime and daytime occupancy limit of the residential dwelling.] as
26 determined by the City pursuant to the conditional use verification process described in LVMC

1 19.12.040(C).

2 (F) If the proposed short-term residential rental unit is located within a gated
3 subdivision or controlled-access building that is governed by an owners' association, a letter or other
4 documentation from the association acknowledging the proposed use and, if necessary, granting access to
5 occupants of the proposed rental unit.

6 (G) A list of all hosting platforms that the applicant proposes to use to market,
7 advertise, offer, solicit customers for, or make available for commercial use the short-term residential rental
8 applied for.

9 (H) Proof of current, valid liability insurance coverage in a minimum amount of
10 \$500,000.

11 (I) An affidavit attesting that there are no delinquent room tax liabilities or liens
12 regarding the property to be used as a short-term residential rental.

13 SECTION 6: Title 6, Chapter 75, Section 80, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.75.080:** (A) An evacuation map and list of procedures shall be placed within each guest room
16 used for sleeping. Maps and lists of procedures shall be mounted on a wall or door in a horizontal position,
17 either made of a durable material or encased within a durable frame or enclosure. Each map and list shall
18 have a minimum size of ten inches by eight inches, with the color of text contrasting to the background.
19 Maps shall have a "you are here" star with a directional arrow to the nearest exit, and shall also indicate the
20 location of all available fire extinguishers.

21 (B) At a minimum, there must be at least one fire extinguisher:

22 (1) In the kitchen area, located under the sink;

23 (2) In any garage, mounted on the wall no higher than forty-eight inches
24 above the finished floor; and

25 (3) Located on each floor level of the short-term residential rental unit, to the
26 extent not otherwise covered by Paragraphs (1) and (2) of this Subsection (B).

→Each fire extinguisher shall have a current service tag from a State of Nevada Fire Marshal-certified contractor.

(C) All sleeping rooms shall be equipped with smoke alarms and shall be installed in accordance with applicable codes. A record of monthly testing and battery replacement shall be available for verification by the Fire Prevention Division.

(D) Carbon monoxide alarms shall be installed in accordance with applicable codes.

(E) Each short-term residential rental shall be maintained in accordance with all applicable provisions of City building-related and technical codes adopted pursuant to LVMC Title 16.

SECTION 7: Title 6, Chapter 75, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.75.090: (A) The operator shall post a copy of the license along with a copy of this Section 6.75.090 in a conspicuous place within the short-term residential rental unit.

(B) The maximum [nighttime] occupancy of a short-term residential rental unit shall [comply with the maximum occupancy limits for residential dwellings established by the Uniform Housing Code, as adopted in LVMC Chapter 16.20. The total daytime occupancy of the unit shall be limited to a maximum of one and one-half times the nighttime occupancy limit.] be two persons per bedroom.

(C) All occupant vehicles shall be parked on site, and shall not be parked in the adjacent public right-of-way. No commercial vehicles shall be permitted on the short-term residential rental unit property or parked in the adjacent public right-of-way, except where otherwise permitted in commercial zoning districts.

(D) Notwithstanding the provisions of LVMC Chapter 9.16, the use of any radio receiver, stereo, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound shall take place only within an enclosed short-term residential rental unit. The property owner or operator of a short-term residential rental unit shall use reasonably prudent business practices to ensure that the occupants or guests of the rental unit do not create unreasonable noise or disturbances.

(E) The operator shall make available a local twenty-four-hour phone number that

1 provides the capability of producing a response within two hours to complaints regarding the condition,
2 operation, or conduct of the occupants of the short-term residential rental unit. Failure of the operator or an
3 employee or agent to respond [or provide for a response] to the complainant within two hours shall
4 constitute a violation of these regulations.

5 (F) [With respect to any short-term residential rental unit with more than four
6 bedrooms, a placard shall be displayed on the exterior of the unit listing the twenty-four-hour contact
7 information for complaints regarding the operation or conduct of the occupants of the unit. The placard
8 shall be in plain view for the general public at all times the short-term residential rental unit is occupied.
9 The placard shall be a minimum of eight and one-half inches by eleven inches in size, clearly depicting the
10 twenty-four-hour contact information. Contact information shall include the full name and telephone
11 number and must be in a minimum legible font of seventy-two-point or a minimum of one and one-half
12 inches in height.] A placard shall be displayed on the exterior of each short-term residential rental unit
13 listing the information set forth below in this Subsection (F). The placard shall be in plain view of the
14 general public at all times the short-term residential rental unit is occupied and shall be a minimum of eight
15 and one-half inches by eleven inches in size. The placard must specify the maximum occupancy allowed
16 pursuant to this Section, as well as the twenty-four-hour contact information required by Subsection (E) of
17 this Section. The information required by the preceding sentence must be in a minimum legible font of
18 seventy-two-point or a minimum of one and one-half inches in height. The required contact information
19 shall include a full name and telephone number of the contact.

20 (G) Trash and refuse shall not be left or stored in public view, except in proper
21 containers for the purpose of collection in accordance with the requirements of Chapter 9.08. The owner of
22 the property or manager of the short-term residential rental unit shall be responsible for notifying occupants
23 of trash disposal procedures and for maintaining compliance with the requirements of Chapter 9.08.

24 (H) Consistent with and as a reflection of the definition of the term “short-term
25 residential rental” set forth in this Chapter, no short-term residential rental unit may be rented for the
26 purpose of holding weddings, parties, receptions or similar events that typically are held at a banquet

1 facility or other facility that is made available for the holding of events on a commercial basis. Any use of
2 the short-term residential rental unit is limited to activities that are incidental to its use for dwelling,
3 lodging or sleeping purposes.

4 (I) All written or visual advertising for the short-term residential rental must include
5 the business license number assigned to the rental unit.

6 (J) A short-term residential rental unit with more than five bedrooms must have a
7 resident manager located on-site at all times for the duration of any rental occupancy. A dwelling unit is
8 presumed to have the number of bedrooms indicated in the records of the Clark County Assessor's Office
9 that pertain to that unit, but that presumption may be rebutted by inspection or other competent evidence.

10 SECTION 8: Ordinance No. 6289 and the Unified Development Code adopted as Title
11 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth
12 in Sections 9 to 14, inclusive, of this Ordinance. The amendments are deemed to be amendments to both
13 Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

14 SECTION 9: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section
15 10, is hereby amended by deleting the entries for the uses "Bed & Breakfast Inn" and "Boarding or
16 Rooming House."

17 SECTION 10: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section
18 10, is hereby amended by amending the entry for the use "Short-Term Residential Rental" to indicate that
19 the use is not allowed in the R-MH District and to add the P-O, O, C-1, C-2 and C-PB Zoning Districts to
20 the list of districts in which the use is allowed as a conditional use. In order to reflect the amendments:

21 (A) The letter "C" shall be removed from the box that represents the intersection of the
22 row for the use "Short-Term Residential Rental" and the column for the R-MH Zoning District.

23 (B) The letter "C" shall be inserted in the box that represents the intersection of the
24 row for the use "Short-Term Residential Rental" and the column for each of the P-O, O, C-1, C-2 and C-PB
25 Zoning Districts.

26 SECTION 11: Title 19, Chapter 12, Section 70, is hereby amended by deleting in their

entirety the entries for the uses “Bed & Breakfast Inn” and “Boarding or Rooming House.”

SECTION 12: Title 19, Chapter 12, Section 70, is hereby amended by amending the entry for the use “Short-Term Residential Rental” to read as follows:

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than 31 consecutive calendar days. This use does not include a “Community Residence,” “Facility for Transitional Living for Released Offenders,” or any other facility with dwelling units that is specifically defined in Chapter 19.18. For purposes of this Title, this use does not include the rental or occupancy of an accessory structure (Class I or II), a tent, a trailer or a mobile unit. In the case of a single parcel containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential rental use.

Conditional Use Regulations:

1. The operator must obtain a business license to operate the use.
2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees.
3. The use must comply with the City’s noise regulations as they apply to residential uses.
4. The use may not be located closer than 660 feet to any other Short-Term Residential Rental use (measured from property line to property line).
5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.
6. In addition to and independent of any enforcement authority or remedy described in this Title, the failure to comply with a Conditional Use Regulation associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.
7. On any particular parcel, the use is limited to a single residential dwelling unit that is occupied by its owner during each period the unit is rented and that has no more than [four] two bedrooms, with a

1 maximum occupancy not to exceed the limits set forth in LVMC 6.75.090. For purposes of the preceding
2 sentence, “owner” includes any person who is listed as an owner of record of the unit in the records of the
3 Clark County Assessor or, in the case of a unit that is owned by a trust or other corporate or legal entity, a
4 trustee or principal of that trust or entity. The dwelling unit is presumed to have the number of bedrooms
5 indicated in the records of the Clark County Assessor’s Office that pertain to that unit, but that presumption
6 may be rebutted by inspection or other competent evidence.

7 8. The use is allowed in the P-O, O, C-1, C-2 and C-PB Zoning Districts only in connection with the
8 residential component of a mixed-use development or in a dwelling unit permitted as a legal
9 nonconforming use.

10 **Minimum Special Use Permit Requirements:**

11 *1. The operator must obtain a business license to operate the use.

12 *2. The use must comply on an ongoing basis with all governmental licensing and regulatory
13 requirements, including the payment of applicable room taxes and licensing fees.

14 *3. The use must comply with the City’s noise regulations as they apply to residential uses[.], as well as
15 any applicable provisions of the Municipal Code that may pertain to odor nuisances,

16 *4. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles
17 of guests and invitees shall not obstruct traffic or access to other properties in the area

18 *5. In addition to and independent of any enforcement authority or remedy described in this Title, the
19 failure to comply with a Minimum Special Use Permit Requirement or other condition of approval
20 associated with this use may be enforced as in the case of a violation of Title 6 by means of a civil
21 proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.

22 *6. [The use may not be located closer than 660 feet to any other Short-Term Residential Rental use
23 (measured from property line to property line).] The use is allowed in the P-O, O, C-1, C-2 and C-PB
24 Zoning Districts only in connection with the residential component of a mixed-use development or in a
25 dwelling unit permitted as a legal nonconforming use.

26 *7. The maximum occupancy of the residential dwelling unit shall not exceed the limits provided for in

1 LVMC 6.75.090.

2 8. The use may not be located closer than 660 feet to any other Short-Term Residential Rental use
3 (measured from property line to property line).

4 **On-site Parking Requirement:** [No] For any short-term residential rental that has no more than 5
5 bedrooms, no additional parking is required beyond that which is required for the principal use on the site.
6 For units with more than 5 bedrooms, 1 additional space shall be required for every 2 additional bedrooms
7 or fractional portion thereof.

8 SECTION 13: Title 19, Chapter 18, Section 20, is hereby amended by deleting in their
9 entirety the definitions for the uses “Bed & Breakfast Inn” and “Boarding or Rooming House.”

10 SECTION 14: Title 19, Chapter 18, Section 20, is hereby amended by amending the
11 definition of the term “Short-Term Residential Rental” to read as follows:

12 **Short-Term Residential Rental:** The commercial use, or the making available for commercial use, of a
13 residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or
14 occupies the entire dwelling unit or one or more individual rooms within the unit for a period of less than
15 31 consecutive calendar days. The term does not include a “Community Residence,” “Facility for
16 Transitional Living for Released Offenders,” or any other facility with dwelling units that is specifically
17 defined in Chapter 19.18. For purposes of this Title, the term does not include the rental or occupancy of
18 an accessory structure (Class I or II), a tent, a trailer or a mobile unit. In the case of a single parcel
19 containing more than one dwelling unit, each dwelling unit constitutes a separate short-term residential
20 rental use.

21 SECTION 15: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.010,
22 19.12.070 and 19.18.020 are deemed to be subchapters rather than sections.

23 SECTION 16: The Department of Planning is authorized and directed to incorporate into
24 the Unified Development Code the amendments set forth in Sections 9 to 14, inclusive, of this Ordinance.

25 SECTION 17: Short-term residential rental uses that are existing on the effective date of
26 this Ordinance, that would require a special use permit under this Ordinance in order to be established as a

1 new use, and that were not approved by means of special use permit shall have one year from the effective
2 date of this Ordinance within which to apply for and obtain a special use permit. If by that date special use
3 permit approval has not been obtained, the use must terminate as of that date.

4 SECTION 18: If any section, subsection, subdivision, paragraph, sentence, clause or
5 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
6 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
7 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
8 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
9 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
10 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

11 SECTION 19: Whenever in this ordinance any act is prohibited or is made or declared to
12 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
13 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
14 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
15 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
16 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
17 of this ordinance shall constitute a separate offense.

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SECTION 20: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this ____ day of _____, 2017.

APPROVED:

By CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed, Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2017, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2017, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

From: Association President [<mailto:scotch80neighbor@gmail.com>]

Sent: Monday, May 1, 2017 1:11 PM

To: Councilwoman Lois Tarkanian

Subject: Party Houses -- Short Term Rentals. Your Bill 2017-16

Dear Councilwoman Tarkanian,

I am in receipt of your Bill to be submitted on 3 May, Bill No. 2017-16 as it applies to Short Term Rentals.

Please correct me if I am wrong but I have never seen in existing legislation or in your bill any structure that allows for neighborhood comment participation in an application for a Short Term Business License. Any mechanism that gives the neighborhood a legal platform to voice comment for/against any incursion by a home owner seeking to become a short term rental.

Our neighborhood association is opposed to all Short Term Rentals within our neighborhood as it is 'masked commercialization' and impacts on our home values and detracts from a neighborhood's goal for single family residences versus 3-5 bedroom motels.

Right now, we have two licensed Short Term Rentals in the Scotch Eighties. We also have another two homes advertising and operating illegally and City Code Enforcement is doing nothing about it. We have a new application on Oakey for a zoning waiver (the only way we would have known about this application) because it is within 660 feet of an existing licensed facility AND ADJACENT TO AN ILLEGAL OPERATION IMMEDIATELY NEXT DOOR. We have two other recent speculative home purchases for the exact purposes of becoming Short Term Rentals. This is an undermining disaster to home ownership in this City and city officials should be ashamed that it is out of control.

We are opposing this application on 9 May before Planning Commission and we would seek your support. There is, by our view, an effort to commercialize Oakey homes.

And we will oppose the City for its continued misuse of the Business Licences process to put 'motel living' within single family residential neighborhoods.

Very truly yours,

Stephen P. Grogan, President,
Scotch Eighty Neighbors, Inc. dba
Scotch Eighty Owners Association
702.303.5915

**SPEAKER
CARDS OF
THOSE WHO
SPOKE IN
SUPPORT OF
PROPOSED BILL
2017-16**

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: 2017-16
Short Term Rentals

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Stephen P. Grogan

ADDRESS (Optional): 2121 Silver Ave

TELEPHONE NUMBER (Optional): 702 303 5915

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: May 15, 2017

AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Melissa Petersen

ADDRESS (Optional): 556 Barbara Way 89104

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

3

(8)

DATE: _____ AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Donald M Mosley

ADDRESS (Optional): 1127 Westland Dr LV NEV 89102

TELEPHONE NUMBER (Optional): 702 878-0621

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

2

(4)

DATE: 5-15-2017 AGENDA ITEM/ITEMS #: Spoken from podium

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PLEASE PRINT

NAME: John Salinas

ADDRESS (Optional): 1620 Birch

TELEPHONE NUMBER (Optional): 702-300-1076

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-2017

AGENDA ITEM/ITEMS #: Bill 2017-16
Short Term Rental

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PLEASE PRINT

NAME: Marc Scott

ADDRESS (Optional): 1508 Kirkland Ave

TELEPHONE NUMBER (Optional): 702-349-1784

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17

AGENDA ITEM/ITEMS #: 2017-16
Short Term Rentals

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PLEASE PRINT

NAME: Amy Salinas

ADDRESS (Optional): 1620 Birch St LV NV 89102

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

F 6

DATE: _____ AGENDA ITEM/ITEMS #: _____

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PLEASE PRINT

NAME: Kathleen Kahr

ADDRESS (Optional): 1208 Norman Ave

TELEPHONE NUMBER (Optional): 702-540-8710

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FM-0384-08-11

SPEAKER CARD



DATE: 5/15/2017 AGENDA ITEM/ITEMS #: 2013-16

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PLEASE PRINT

NAME: STEVEN TOMLINSON

ADDRESS (Optional): 1733 E. DAREY BLVD, 89109

TELEPHONE NUMBER (Optional): 808-330-3841

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FM-0384-02-17

CITY OF LAS VEGAS SPEAKER CARD

DATE:

5-15-17

AGENDA ITEM/ITEMS #:

2017-16

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PLEASE PRINT

NAME:

Sharon Segerblom

ADDRESS (Optional):

1242 PARK Circle 89107

TELEPHONE NUMBER (Optional):

702-279-8650

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE:

5-15-17

AGENDA ITEM/ITEMS #:

5

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PLEASE PRINT

NAME:

Wendy Kneek

ADDRESS (Optional):

557 Barbara Way 89104

TELEPHONE NUMBER (Optional):

702 869 9002

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FM-0384-08-11

SPEAKER CARD



DATE: 5/15/2017 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Shelly Watters
ADDRESS (Optional): 2112 Kirkland Ave
TELEPHONE NUMBER (Optional): 702-491-9979

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FM-0384-02-17

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17 AGENDA ITEM/ITEMS #: S
BILL 2017-16

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PLEASE PRINT

NAME: DAVID FILLER
ADDRESS (Optional): 1302 S. 6th ST
TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

3

DATE:

5/15/17

AGENDA ITEM/ITEMS #:

Short Term Rentals

(4)

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME:

Jenne Asmusen

ADDRESS (Optional):

718 Park Place

TELEPHONE NUMBER (Optional):

702-388-7425 Home

All information provided on this card is public information and may be disseminated

702-712-8896 Cell

FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

(F)-14

DATE:

5/17

AGENDA ITEM/ITEMS #:

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME:

ROBERT TERRY

ADDRESS (Optional):

PANORAMA TOWERS

TELEPHONE NUMBER (Optional):

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FM-0384-08-11

**SPEAKER CARDS
& COMMENTS OF
THOSE WHO
SPOKE IN
OPPOSITION OF
PROPOSED BILL
2017-16**

CITY OF LAS VEGAS SPEAKER CARD

A-1

DATE: 5/15/17

AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Norman Schilling

ADDRESS (Optional): 410 S. 16th St.

TELEPHONE NUMBER (Optional): (702) 296-9074

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-2

DATE: _____

AGENDA ITEM/ITEMS #: 2017-18

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PLEASE PRINT

NAME: Linda Eapen

ADDRESS (Optional): 601 Tiffany Lane

TELEPHONE NUMBER (Optional): 702 343 7559

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-3

DATE: 9/19/17 AGENDA ITEM/ITEMS #: Bill 2017-16

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PLEASE PRINT

NAME: Dillon Brocken

ADDRESS (Optional): 301 ARNOLD

TELEPHONE NUMBER (Optional): 702 967 6507

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-4

DATE: 5/15/17 AGENDA ITEM/ITEMS #: Short Term Rental

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Jay Brown - Representing Vegas Vacation Rental Assoc and Annette F.

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-5

DATE:

5/15/2017

AGENDA ITEM/ITEMS #:

5

STR

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PLEASE PRINT

NAME:

Annette Falgout

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

714-396-2912

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Vegas Vacation Rental Association

FM-0384-08-11

COMMENTS ATTACHED

Good Morning Councilwoman Tarkanian, Councilman Coffin and Councilman Anthony:

My name is Annette Fiala,

As a homeowner in Vegas, I appreciate so very much everything the City of Las Vegas does for our community in accomplishing being a leader in building our "City of Excellence" for **all the world** to share.

Over the last 4.5 years, I have met with you several times and I value the relationship.

I am very proud to live in Vegas. I moved here as a single mother of six in 2001. Five of my six children, have graduated HS here and my youngest child is currently a junior in HS. We have made Vegas our HOME for 16+ years now and we are well established in the church and community and we aren't going anywhere, as well as most of our owners here today.

I have witnessed the struggle first hand in the STR industry by trial and error over the last 10 years.

We are here today because, "It all starts here!!!"

I will commit to you that the members of our Vegas Vacation Rental Association (Vegas VRA) will be proactive with whatever action the city decides to adopt.

All we ask, is that we don't **rush** into adopting **any** ordinance unless it will bring around the **real** changes that will provide benefits for **everyone** here today. We would appreciate that all citizens opposing STR's, to please listen to our stories and consider that the City of Las Vegas promotes Vegas as an international destination and that the dynamics of this city and county have changed significantly over the last 15 years from 30, 40 and 50 years ago. Generation "X" and the millennials are changing the way we travel for business, family and pleasure trips, and they **are** always bringing their money to Vegas to spend!!! Vegas is not only an international destination, it is the entertainment capital of the World, attracting performers for the Strip venues, celebrities, families on vacation, conventioners, reunions, wedding celebrations, sports tournaments, and discrete individuals that are not able to be here today to speak on their behalf.

We have celebrity performers from the strip who want to remain anonymous, but requested that they wanted their voices heard in support of STR's. They often have family and friends that come to Vegas and always prefer to stay in a STR. See letter from Ice Cube.

We owe it to the World to offer alternative housing for those who request it.

This is what our Vegas VRA advocates for:

We want **REGULATIONS** to support all those here who oppose STR's.

We want **FINES** for all those owners and managers who disrespect the privilege of having a STR license.

We want **REVOKATION OF THE STR LICENSE for repeat offenders.**

We want **LICENSES** for **ALL** the owners and managers who want to operate a legitimate STR and to pay room taxes.

We want a central **HOTLINE phone number** for neighbors of STR's that provides for an immediate enforcement response to the "party house" calls.

We want **CONSIDERATION** for the tens of thousands of guests that come to Vegas every year that are not in town today and expect to have a STR available for them.

We **do not want** any party houses. They hurt our whole industry. They are relatively few in numbers, but they can have a huge everlasting negative affect if we don't **regulate** this industry. I am sure everyone here **against STR's**, would appreciate adopting an ordinance that would allow for STR's to be licensed, fined and finally shut down as opposed to not having any control over them at all.

Submitted At Meeting

Date 5/15/17 Item 5

We advocate and ask for: licenses, regulations, pay room tax, and when necessary, fine and shut down the bad STR's.

We need council members to consider all the consequences when requiring a SUP and the 660 Ft separation.

Currently, besides business licensing not issuing even one SUP application for the 5 bedrooms or more or the 660 ft separation application, it is my guess that those properties will still operate, not paying room taxes and continuing to avoid consequences like some properties in the news.

Once you require an SUP or the 660 Ft separation, you've basically shut down the 2 bedrooms or more units and visitors are left with the hotel rooms or timeshares. There is no turning back from the SUP. Neighborhoods that had no idea that a STR existed on that street will now become aware. And why is this an issue? Because no one ever even knew about the STR because most of them are quiet with no complaints and now the neighbors *will* know and of course vote against any SUP application and the house will be "marked" and complaints will come in, all because they had to apply for the SUP that was not going to get approved. That will also affect the privacy of the future guests, to say nothing about the investment the owners made in the property which was previously licensed and in good standing and now they would find themselves operating illegally when they just want to pay their mortgage.

We advocate for licensing **ALL STR's** (Keeping in mind we are not talking about BnB's or homesharing) and that will allow the city's business licensing department and code enforcement to **finally know** where all the STR's are. **Only then will you have the control necessary** to fine and shut down the bad operators. **If you don't license them, you can't regulate them, and consequently we will not have moved forward at all on the STR licensing process.** The current licensing program is working very well with 146 active licenses, approximately 136 of them since October 2014, but like prohibition, requiring a SUP for 5 bedrooms or more and the 660 ft separation, is **not allowing** the city to **gain control** of that section of the industry. Why not get control of as much of the industry as you can? A benefit of licensing everyone is, then there will be a competitive market and the operators will work harder to keep their license and not get fined or shut down. The bad operators on a street will naturally implode.

Sometimes it seems like there is no right answer, but we need to do something. My husband always says, if you don't like the way something is being done, change it...if that doesn't work out the way you wanted, you can change it again or change it back.

As long as the media shows inflamed neighbors and NEVER interviews the happy guests, you will never be able to honestly provide a true assessment of the value the STR's bring to Vegas.

In summary:

We are here today because Expedia, the parent company for HomeAway/VRBO, the world's largest search engine that directs a significant amount of the 43,000,000 visitors a year to Vegas, would like to keep all the visitor's options open for accommodations available in this amazing town!!!

As a mother of 6, I learned something a long time ago. When one of my children would ask me for something and I wasn't expecting it, my natural response was a flat out "no". A friend told me, instead of shutting them down with my "no" answer, why don't I tell them, "Let me think about it". And after I thought about it, I realized that they were not asking for anything unreasonable, and I found myself allowing them to do what they asked for.

So I am asking you today, "just think about it".

Thank you for your time and consideration,

Annette Fiala

208 E Levi Ave

CITY OF LAS VEGAS SPEAKER CARD

A-6

DATE: 5-15-17 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: BRIAN GRIFFITHS
ADDRESS (Optional): 2125 GLEN HEATHER WAY LV NV 89102
TELEPHONE NUMBER (Optional): 415-572-2763

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**CITY OF LAS VEGAS
SPEAKER CARD**

A-7

DATE: 5-15-17

AGENDA ITEM/ITEMS #: 5 Short term rentals

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Shane Stigler

ADDRESS (Optional): 1704 English Oak Street

TELEPHONE NUMBER (Optional): 702-303-4392

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FM-0384-08-11

COMMENTS ATTACHED

Shane Stigler

Dear Las Vegas City Counsel Members,

Thank you for taking the time to hear my opinion on the matter of "short term rentals" in Las Vegas.

My wife Sue and I bought a home near Charleston and the Durango. This is the only home we ever lived in during our marriage. This is the home that we celebrated New Year's Christmas, birthdays and anniversaries for 20 years.

On December 2, 2015 we celebrated our 20th anniversary in that home. Five days later on December 7th Sue passed away also in the home losing her battle with cancer. On December 30, 2015 our small family dog attempting to get the food on the kitchen counter accidentally turned on the stove causing a house fire. Suddenly in just a months time I was alone with two children and homeless.

It was a short term rental that took me my two children and family dog in and gave us some semblance of normal while I tried to find a new home for us. I loved what that short term rental gave my family so much that I decided to do the same thing for others with the home that we had owned for over 20 years. It took a year to rehab the house and get it ready. I poured my savings into this endeavor furnishing and decorating to make it beautiful the way we always wanted to.

I finally got the house ready and started taking reservations in January 2017. However just a short time later I learned about the business license and special use permit required to operate legally. Being a Las Vegas resident for 35 years I feel very deeply about the community and would never want to do anything that wasn't completely above board. I applied for the license and was told that I would need the special use permit first. I inquired on the special use permit and was informed that my house is 649.6 feet from another short-term rental therefore I was denied. I was told about the appeal process but then was told don't really bother no one gets approved.

I am not an out-of-state investor or some big business buying a properties I am just one person trying to save a home that the family has owned for really long time. This is the home that my kids came home from the hospital when they were born to they celebrated all their birthdays in it and while this home has many wonderful memories it also is the place for my wife passed away. We really don't want to live in the home at this point but we don't want to lose it either operating as a short-term rental allows us the opportunity to keep that family home so that maybe someday my kids could move back into it.

Submitted At Meeting

Date 5/15/17 Item 5

5.15.17

Sharon Stigler
8924 Antioch way
Lv W 89117

I'm 68 yrs old. On Social Security,
I need to supplement my income &
care for grandchildren. This bill
restricts me by the 660 rule.
Also having to be present at all
times).

Thank you!

Sharon Stigler

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 15 May 2017 AGENDA ITEM/ITEMS #: 5 A-8

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PLEASE PRINT

NAME: Joe Locatelli Greater Las Vegas Assoc of Realtors

ADDRESS (Optional): 1750 E. Sahara Ave. LV, NV 89104

TELEPHONE NUMBER (Optional): 702-569-2704

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FM-0384-08-11

COMMENTS ATTACHED



May 11, 2017

Ms. Karen Duddleston
Business Licensing Manager
City of Las Vegas, Dept. of Planning-Business Licensing Division
333 N. Rancho Drive, Suite 600
Las Vegas, NV 89106

Re: Short-Term Residential Rental Units—Bill NO. 2017

Ms. Duddleston:

On behalf of the Greater Las Vegas Association of REALTORS® (GLVAR) we appreciate the opportunity to submit the following written comments concerning the proposed changes to Title 6 of the City of Las Vegas Municipal Code (LVMC). GLVAR is committed to working with the City to achieve a comprehensive solution that is practical for all parties.

GLVAR's comments are focused on the ability of our members that conduct business in the City of Las Vegas to adequately represent their clients. With respect to Short-Term Residential Rental Units, a number of REALTORS® have expressed that some clients inquire as to where they could purchase a property that they could legally rent one or more bedrooms.

GLVAR is Southern Nevada's largest trade organization with over 13,000 members and GLVAR is committed to the property rights of owners—whether it's the rights of concerned neighbors that desire peace and tranquility or it's an owner that wishes to earn a little extra income by renting out one or more of the rooms in their home.

Additionally, it's important to note that the Las Vegas Review Journal recently reported that: "*Assemblywoman Irene Bustamante Adams...Las Vegas, said the purpose of Assembly Bill 294 is to bring parity to the transient rental market and recognize the growing share private rentals are having on temporary lodging.*" It is far more prudent for the City to wait and see what the State Legislature does before taking further action on the ordinance.

GLVAR applauds the efforts by the City to strive towards a reasonable Short-Term Residential Rental Unit ordinance that can accommodate both sides of property owners: the owner-neighbor and the owner renting one or more bedrooms. GLVAR desires an approach that would better serve all parties involved.

For instance, one such concern is found in Title 6: Section 5, 6.75.040 (B) that limits occupancy per room to "*two persons per bedroom,*" rather than the current "*four.*" For example, this provision does not take into account a family with minor children. Moreover, enforcement of this rule is problematic and creates serious legal concerns.

GREATER LAS VEGAS ASSOCIATION OF REALTORS®

The Voice for Real Estate in Southern Nevada

1750 E. Sahara Avenue • Las Vegas, Nevada • 89104 • (702)784-5000 • FAX: (702)784-5060



Submitted At Meeting
Date 5/15/17 Item 5

www.LasVegasRealtor.com



GLVAR also has concerns with the disparity between an owner occupied rental unit versus a non-owner occupied rental unit. Section 12 under *Conditional Use Regulations* of the proposed LVMC change (as underlined) states: "...the use is limited to a single residential ...unit that is occupied by its owner during each period the unit is rented and that has no more than [four] two bedrooms, with a maximum occupancy not to exceed the set forth in LVMC 6.75.090." Again, the rational is problematic and it discourages would be property buyers from purchasing property in the City of Las Vegas.

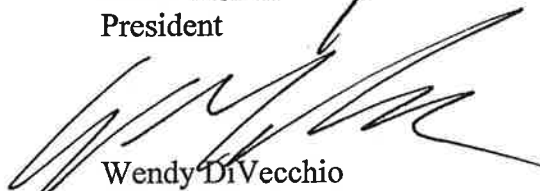
The proposed revisions to the ordinance, as noted appear to be problematic and in light of the Legislature's looming action on this matter, untimely. Therefore, GLVAR strongly opposes any changes to Title 6 of the City of Las Vegas Municipal Code regarding Short-Term Residential Units at this time.

Again, thank you for the opportunity to provide you with comments on this issue. Should you have any questions please feel free to contact Mr. Joe Locatelli, Government Affairs Director, at 702-569-2704.

Sincerely,



David J. Tina
President



Wendy DiVecchio
Chief Executive Officer

cc: Mayor Carolyn Goodman
Mayor Pro-Tem Steve Ross
Councilman Bob Beers
Councilwoman Lois Tarkanian
Councilman Ricki Barlow
Councilman Bob Coffin
Councilman Stavros Anthony
David B. Sanders, Esq.
Joe Locatelli, Carrara Nevada
Rocky Finseth

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CITY OF LAS VEGAS SPEAKER CARD

A-9

DATE: 5.15.17 AGENDA ITEM/ITEMS #: 5

Bill 2017-16

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PLEASE PRINT

NAME: Edward Nardone

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 702-531-1043

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-10

DATE: 05/15/2017 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: James Sutor

ADDRESS (Optional): RE AGENT / INVESTOR

TELEPHONE NUMBER (Optional): 5516 BOULDER HWY APT 2F 144 LV 89122

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-11

DATE: 5/15/17

AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: Nicole Rose

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-12

DATE: 5/15/17

AGENDA ITEM/ITEMS #: _____

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PLEASE PRINT

NAME: DR. NANCY FALLON

ADDRESS (Optional): 1501 MONTROSS ST.

TELEPHONE NUMBER (Optional): 702 265 4481

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

A-13

DATE:

5/15/17

AGENDA ITEM/ITEMS #:

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PLEASE PRINT

NAME:

CHRISTY CHRISTENSEN

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

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FM-0384-08-11

COMMENTS ATTACHED

Good morning Councilwoman Tarkanian, Councilman Coffin, and Councilman Anthony.

My name is Christy Christensen,

I support Short Term Rentals. I have been coming to Vegas since I was a child. This was our families favorite vacation spot. We stayed at a lot of hotels and we always had to get 2 hotel rooms because there were 7 in our family. When Short Term Rentals became popular, in the early 2000's, my mother started renting them for all of our trips. This allowed our family to all stay in one location or residence.

My mother also felt safer in a Short Term Rental. One time, when I was only 2 years old, we stayed at Circus Circus. I snuck out of the hotel room and went down the elevator to the arcade. Security found me there and returned me to our room. My mom almost had a heart attack! We never stayed in a hotel after that.

I am married now and have 2 children and 1 on the way. I find myself in the same circumstances as my mother while I was growing up. I already choose a Short Term Rental over a hotel room any day, but more importantly, we want our family to all be together. With 5 in our family, we won't be able to stay in just one hotel room, we would have to get 2 hotel rooms and then we would not be able to afford to travel like we would like to!

We typically travel with family and friends. We like a 4 or 5 bedroom house. We use Short Term Rentals in Big Bear California for our annual family reunion. We usually need to rent 3, 7, or 8 bedroom homes.

If hotel rooms were our only choice in a tourist destination, we would probably vacation in another destination.

We would appreciate you approving Short Term Rentals without a SUP so that the larger houses would be available for my family and friends.

Thank you,

Christy Christensen

address - They left

Submitted At Meeting

Date ⁵/₁₅/₁₇ Item 5

CITY OF LAS VEGAS SPEAKER CARD

A-14

DATE: 5/15/17 AGENDA ITEM/ITEMS #: Bill No 2017-16
re: STR licensing

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: JULIE DAVIES

ADDRESS (Optional): RE: 150 LAS VEGAS BLVD.

TELEPHONE NUMBER (Optional): 702-755-6881

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FM-0384-08-11

COMMENTS ATTACHED

I'm Julie Davies, a Las Vegas resident with deep roots here. My ancestor grandfather helped build the first man-made structure in the Las Vegas valley, a sort of lodging property, the Old Fort. My personal experience in lodging management began over three decades ago. In college, I interned and later worked for the Regan Advance Team. Even back then, we sometimes found that renting a large home was the best option (due to security or logistical concerns) for housing the President and his team in certain locales or circumstances. I was later recruited into the Hilton Corporate Executive Training Program and worked my way up to General Manager, back when there were few women allowed that responsibility. I'm on the permanent faculty of the American Hotel & Lodging Association Educational Institute.

You could call me a lodging industry "expert". I've managed large hotels, resorts, and long term care chains. And I've also managed B&B Inns and short term rental homes in several states.

My husband and I opened our first Bed & Breakfast Inn back in 1986. We love Las Vegas and naturally, want to have a short term rental home here. We applied for a license for a condo in a mixed-use residential structure downtown and, after many back and forth questions, were granted a license. We finalized our furnishings purchases, set up our listings, and then received a Cease and Desist order. We were told that the City needed to hold our license in abeyance while they checked to see if the box was meant to be unchecked on the land use chart for the zone where our license had been granted. We complied and have lost money every month while the furnishings bake in a storage unit and we wait for the answer. That was a year and half ago.

I've reviewed the City's proposed changes to the STR regulations. I agree with many, such as STR licenses being allowed within residential structures in C2 zoning. But some of the proposed changes would not be good policy.

I've also reviewed the licensing requirements and the heated debates about STRs throughout the US. Having written successful books decades ago about managing large and small lodging properties that included chapters about working within government regulations, I can tell you that not much has changed within the best practices for running and regulating lodging properties over the years. Homes within varied neighborhoods have been rented out for decades without much neighborhood or government concern because the owners were following best practices and complying with local laws.

What did change was technology. One tech company in particular has turned the B&B and Vacation Rental Home industry on its side with its call for homeowners to rent out a room or two to help pay personal bills. At first, they openly advocated for homeowners not to worry about licensing or best practices---just list with us and you'll make money. They positioned "Homesharing" as a cheap and informal version of a bed & breakfast inn (but their first rental involved an air mattress in a hallway). Then their site started listing entire homes for rent for one or more night stays and they adopted the term "short term rental" to include their homesharing. Airbnb grew at a rapid pace with their call for everyone to host or stay in this new and financially-exciting way. Then the problems multiplied as quickly as their growth and neighbors and municipalities were in an uproar. Too many towns simply implemented a "ban" on rentals for less than 30 days or made it ridiculously difficult to become licensed for STRs. This created a "prohibition-style" underground network of homesharing and STR businesses that has gotten out of control in some communities. Now, we know very well that prohibition doesn't work. Bans simply don't work---especially when enforcement of the ban is not consistently carried out.

I commend the City of Las Vegas for working to get ahead of this lodging and travel industry trend. Short term rentals and homesharing are established lodging segments that will not go away. The market demands that they be available to guests. Vegas is known as a hospitality industry leader and we have the opportunity to show the nation how short term rental and homesharing regulation can be implemented effectively and in a way that is positive for the community and for tourism.

Our association has spoken about our concerns with some of the proposed changes. The one I think is most negative is in 19.12.70 (#7), which would effectually ban short term rental and vacation rental home licensure by limiting the number of rooms to two or less and requiring the owner to stay onsite during the guest stay. That would mandate homesharing (a mandate, which, by the way, I believe could cause the City some liability and potential problems I don't think the drafters considered). Homesharing is not the same as a vacation home rental or what we used to call a short term rental. Homesharing should not be clumped into the same license category as vacation home rentals or traditional short term rentals.

Submitted At Meeting

5/15/17 Item 5

The wisdom of my experience would call for four categories of short term rental licensing:

Vacation Home Rental: guests would contract to rent the entire home for one or more night's lodging. The owner would be responsible but would not be expected to stay in the home during guest occupancy. This is the normal/traditional definition of short term rental. This category would include vacation rental homes, short term rental businesses, and individual condos in mixed-use residential structures. I would recommend that this category be divided or sized into two subcategories: Studio to 4 bedrooms and 5-10 bedrooms.

Homesharing: the home would be owner occupied during guest stays and allow the rental of two or fewer bedrooms for lodging contracts of one or more nights (and the home may host one or two unrelated guest contracts per night).

Bed & Breakfast Inn: the home or structure would have more than 10 bedrooms and must have a manager or the owner staying onsite during any guest stay (and the home may host one or more unrelated guest contracts per night and rent units for one or more nights per contract). This category would also include vacation rental homes with more than 10 bedrooms renting to a single contract per night, aparthotels, boarding homes, condohotels, hostels, and timeshare units.

Each of these four categories are distinctly different from the others and they include different needs when it comes to licensing (they may also warrant different fees). If the City used these categories rather than the dysfunctional SUP structure, you could have a simple checklist for each category that would save time and confusion for those involved with licensing and code enforcement. Done right, this would limit the number of licenses awarded in a reasonable way and help ensure that good business practices were implemented for STRs here.

The two biggest problems other municipalities have had with managing STRs are:

one, they don't understand STRs and that there are different categories and needs within the STR umbrella of lodging choices (especially the difference between vacation home rentals and homesharing) which makes municipalities create confusing and time-consuming regulations (such as SUPs);

and two, enforcement or lack thereof. Laws that aren't enforced are too often ignored or they just serve as punishment for those who are trying to follow the laws. Our association has come up with an innovative approach to enforcement that should take much of the burden off of code enforcement and metro and it could be shouldered in a large part by STR owners who want the laws they are complying with to be applied to everyone who wants to rent their home or rooms within their home.

Please, listen to the voices of those of us who have experience with this industry and use this input to shape sound policy that will prove that Las Vegas can lead in all aspects of hospitality and tourism, including short term rental management.

CITY OF LAS VEGAS SPEAKER CARD

A-15

DATE: May 15/2017 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Claire McAllister

ADDRESS (Optional): 556

TELEPHONE NUMBER (Optional): 702-501-0408

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(please see 2 pages printed)

FM-0384-08-11

COMMENTS ATTACHED

Submitted At Meeting

Date 5/15/17 Item 5

I am Claire McAllister. I am a long-term resident of Las Vegas off & on (first in 1957), live in the same neighborhood and love Las Vegas and its' history.

I fully support allowing short-term rental houses in all neighborhoods, properly supervised and licensed. I have seen and experienced the positive impact of short-term rentals in the building I used to own part of, on my street, and in the neighborhood.

The building I used to own part of and the rental houses in the neighborhood used to be a problem because some absentee owners habitually rented to drug dealers and unsavory characters. They also let their houses and apartments run down terribly. This was also true of many of the houses in the neighborhood. Some of those apartments and houses are now Airbnb, which requires that properties be of a much higher standard. If these properties are not constantly kept up, short-term guests will not come. The atmosphere is much more pleasant, both because the rental houses are kept better and because the people they attract are so much more respectful of the properties and the area.

The opportunity for Las Vegas residents to supplement their income through this avenue has resulted in renovated properties, nice people experiencing our beautiful historic neighborhoods and increased property values. I have to supplement my income by rental of my house in order to continue to live in the neighborhood I have so long called home.

The short-term guests are people who want a quiet, private place to stay away from the bustle of the Strip and have been uniformly quiet and respectful.

I would like the opportunity to continue to live in my neighborhood, which I can do if I supplement my income by occasionally renting my house to carefully-selected guests. *

I have rented to long term tenants in the neighborhood in the past. It was unsatisfactory. Long term tenants tended not to inform me of damage they had done.

Lately, I have been renting for periods of a month at a time. The shorter terms of rental allow me to much better maintain and improve my property, but I would also like to occasionally rent for shorter periods, when I can't find someone who wants to stay for a whole month.

Please do not deny me this opportunity by means of inappropriate and draconian regulation.

* My house is approximately 30 ft too close to another short term so I would have to apply for special use - I was told by a city official that ~~you~~ ^{the city} never grants special use permits anyway.

Please make exceptions for those of us who reside in our houses, perhaps add more liers.

**SPEAKER CARDS &
COMMENTS OF
THOSE WHO SPOKE
UNDER CITIZENS
PARTICIPATION
REGARDING
PROPOSED BILL
2017-16**

**CITY OF LAS VEGAS
SPEAKER CARD**

DATE: 5-15-17 AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: Steven Khalilzade gan

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

Public Comment 2

**CITY OF LAS VEGAS
SPEAKER CARD**

DATE: 5/15/17 AGENDA ITEM/ITEMS #: Bill # 2017-16

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PLEASE PRINT

NAME: Harin Comeaux

ADDRESS (Optional): 6044 Black Gold St. N. Las Vegas, NV 89031

TELEPHONE NUMBER (Optional): 702-328-4114

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 2017-15-05 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: George Anderson / Kenneth Calder

ADDRESS (Optional): 10271 Danskin Dr, Las Vegas, NV 89166

TELEPHONE NUMBER (Optional): 702-843-6733

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COMMENTS ATTACHED

George Anderson/Kenneth Calder
10271 Dunskin Dr
Las Vegas, NV 89166

City of Las Vegas Recommending Committee Meeting - May 15, 2017
Short Term Residential Rental Proposed Ordinance

Speakers

George Anderson and Ken Calder
Addicted Realty
Real Estate Brokers & Property Managers
Holder of 6 active Short Term Residential Rental Permits

702-~~613~~-843-6733
george@addictedrealty.com

May 15, 2017

We have properties in
Bonanza Village
McNeil Estates
Hunters
Many Crest

To Councilwoman Tarkanian, Councilman Coffin, and Councilman Ross; Beers

Our brokerage, Addicted Realty, currently holds six (6) active short term residential rental permits. We are licensed by the State of Nevada and City of Las Vegas as Real Estate Brokers and Property Managers. In addition to operating short term residential rentals, we manage 104 other residential properties of various types - houses, apartments, and condos. We follow all applicable federal, state and local laws relating to rentals such as Federal Fair Housing and those provisions of Nevada Revised Statutes 645 and 118.

In 2017, our short term residential rentals have had 126 separate bookings for a total of 459 occupancy nights. During this year alone we have welcomed 911 guests and have collected \$14,300 in room taxes. Our typical reservation is for groups of 6 to 12 occupants looking for an alternative to a smoky casino or a group that needs the additional space that a house can provide. Our guests are not partiers looking for a "what happens in Vegas" kind of stay.

We have had zero (0) complaints regarding parties. Zero (0) disturbances reported to the authorities. Our team of licensed property managers are available 24 hours a day to attend to our guests. The house rules are presented to the guests no less than 3 time prior to confirming the booking and are prominently displayed in each of our properties.

To be honest, our short term residential rental guests are better behaved than our traditional long term residential rental tenant. With the short term rental, we can stipulate the activities that are permitted at the property. At a regular rental, our tenants are granted the right of quiet enjoyment, which means they can do whatever they want at the property.

Submitted At Meeting
Date 5/15/17 Item 5

In our experience, properties operating as permitted short term residential rentals under the current ordinance are not party houses. The ability to operate in a lawful manner is far too important to lose.

Each of our currently permitted and operating properties has four (4) bedrooms. The change to require a Special Use Permit for anything more than two (2) bedrooms would effectively shut down each of our properties. The proposed zoning requirement, shifting from residential areas to commercial areas, will remove the primary appeal we offer to guests - the ability to stay like a "local" and not like a tourist. Our guests are looking to experience a different side of Las Vegas; to see that people actually live in homes and everyone doesn't stay in hotels.

Our operating has contributed to the local economy. The property owners we represent have invested \$2,000,000 to purchase the properties. Some paid cash and others financed their purchase. Each house has at least \$25,000 in furnishings, decorations, and supplies purchased locally generating over \$12,000 in sales tax revenue. Then there is the infusion of money the 911 guests have made into our local economy. They have managed to feed themselves and kept themselves occupied by engaging our local offerings.

We attract guests that would not come to Las Vegas if staying in a house was not an option. Either they have too many people in their group making hotels rooms inconvenient, or they are looking for a different environment than the typical Las Vegas resort or hotel property can offer.

Currently, we are hosting a family visiting from Europe, at one of our permitted properties, for a 28 day stay. This family traveled to Las Vegas to adopt a child. Staying at a hotel was not an option for them as the environment would provide too much stimulus for the new addition to their family. If properties like ours weren't an option for this family, we would have lost their business to another city.

We would like to see the existing regulations enforced consistently before being amended. The unlawful operators are unfair competition for our lawful operations and aren't playing by the same high standards that we are.

We should focus on simplifying the regulations to encourage lawful operations.

Las Vegas is a world renowned destination city and today's travelers expect and demand modern amenities utilizing technology of the Peer base economy. Uber and Airbnb are among these. Current operators with no violations should be grandfathered.

6

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/2017

AGENDA ITEM/ITEMS #: BILL # 2017-16

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Cammy McClure

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 702-250-5227

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(6)

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME:

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

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FM-0384-08-11

Janelle Mazza

1301 S. 6th Street

702-635-6445

Thank you for your time
& consideration!

We've come to a time in
our society where adjustment
to the code need to be made.

I am against the proposed
bill. Prohibiting homeowners
right to sell, lease and exchange
their own property is unjust.

Please do not enforce SUP
please do not restrict bedrooms.

Please do not enforce owners
needing to spend more money.

Please do not require expenditures
that people can't afford.

(7)

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: Marco Ritzo

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

All information provided on this card is public information and may be disseminated

FM-0384-08-11

(8)

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-2017 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: W. Doug Williams

ADDRESS (Optional): 6983 E Bonanza Las Vegas, NV 89110

TELEPHONE NUMBER (Optional): 702-528-6695

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FM-0384-08-11

**SPEAKER CARDS
& COMMENTS
SUBMITTED BY
INDIVIDUALS
REGARDING
PROPOSED BILL
2017-16 BUT DID
NOT SPEAK**

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-7 AGENDA ITEM/ITEMS #: _____

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PLEASE PRINT

NAME: Genoveva Amaya

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

To whom it may concern,

As a millennial graduate Business student prohibiting or minimizing short term rental rights in Las Vegas, a city for hospitality, would not be a smart way to go.

You should look at the benefits for the city not ^{lean on} your feelings.

- I understand that the council and those who want to approve are baby boomers.
- The majority of the population in U.S., India, and other countries are Millennials.
- I understand you care about the safety of neighbors.
- The policy of Airbnb, "A renter can cancel reservation when guests violate their rules, there is a ID government check when allowing guests into your house"
- This tax could benefit the city.
- Look for the future - who do you think are spending their money more? Millennials who are the majority?

Submitted At Meeting

Date 5/15/17 Item 5

SPEAKER CARD



DATE: 5/15/17 AGENDA ITEM/ITEMS #: Short term rental
or makes changes

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Nathan Barile
ADDRESS (Optional): 4210 Bossart Ct, Las Vegas
TELEPHONE NUMBER (Optional): 702-550-8865

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FM-0384-02-17

As a current legal permit holder of a STR we played by your rules to acquire our property. Now you are changing the rules in which we started our investment. We have 8 bedrooms and have not had any complaints. You are essentially killing our tax paying business by forcing us to hire a resident manager. We invested \$500,000+ into a home based on your rules. Now you are changing your rules and will alter what you granted us the initial permit.

CITY OF LAS VEGAS SPEAKER CARD

DATE: 8-15-12

AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: BILL KARRAS

ADDRESS (Optional): 1220 CHANDLER DR

TELEPHONE NUMBER (Optional): _____

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CITY OF LAS VEGAS SPEAKER CARD

DATE: 15 May 2017

AGENDA ITEM/ITEMS #: Short term Vacation Rentals

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Mercier Boykins

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

COMMENTS ATTACHED

Martin Boyer
920 Primrose Lane
Henderson NV. 89011

15. May. 2017

Good morning, Councilwoman Tarkanian, Councilman Coffin and Councilman Anthony. I agree with everything our association and Annette have said. Las Vegas has been home for me since 2003. Having a home to stay in makes Las Vegas a more attractive destination for some. They enjoy being in a home because of the conveniences provided, staying with friends and family in one place. We have had multi-generations come together and stay together in the home, they can be together but have their own space.

When people come to a short- term vacation home they enjoy spending time and money in the community and enjoy the casinos and the strip. However, many families have mentioned being able to come back to a quiet place and relax with their families made the difference of them wanting to return. One of our main priorities is respect for neighbors and we make it very clear that our home is in a quiet, respectful neighborhood and we only take guest who agree to comply with these conditions. Our neighbors enjoy having people from different countries and backgrounds visiting next door. Recently, they became friendly with some of our Canadian guests. Our neighbor had a heart attack and the visitors even went to visit them in the hospital.

Submitted At Meeting
Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: Bill 2017-16

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PLEASE PRINT

NAME: Ginger Calder & Richard Calder

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 702-843-6733

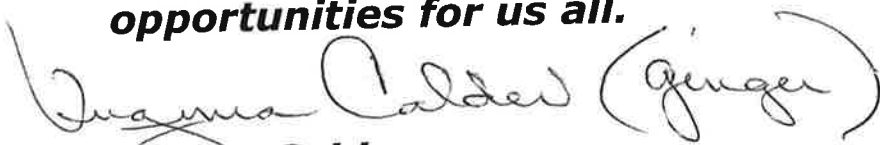
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FM-0384-08-11

Comments Attached

"Good Morning Councilwoman Tarkanian, Councilman Coffin and Councilman Anthony. My name is Ginger Calder and I am here with my husband Richard Calder. We have lived in Las Vegas for over 20 years and have raised 3 son's here and are currently raising our grandson. We have strong roots to Las Vegas and feel very fortunate to be able to live in this beautiful city. We currently own three long term rentals in addition to our primary residence. We would like to invest in a short term rental in the near future, particularly in one of the transitional neighborhoods that seem to thrive with this type of investment. However, we are hesitant because of all the new rules the council is currently considering on short term properties.

We agree with everything our Association has said and would like to thank the council for keeping an open mind about the benefits of a short term rentals and how they can improve our city and create opportunities for us all.


Ginger Calder


Richard Calder

5945 Wasatch Ridge Cir.
Las Vegas, NV 89149

702-906-5535

Submitted At Meeting

Date 5/15/19 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: Bill No. 2017-16

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PLEASE PRINT

NAME: Asia Duncan

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 818-510-2883

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FM-0384-08-11

I'm in the County. I have a long term corporate rental. I look forward to County possibly adopting STR policies from the city and allowing County homeowners to rent short-term under adopted regulation.

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE:

05/15/17

AGENDA ITEM/ITEMS #:

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PLEASE PRINT

NAME:

Elena Elfinova

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

All information provided on this card is public information and may be disseminated

FM-0384-08-11

Comments ATTACHED



"Good Morning Councilwoman Tarkanian, Councilman Coffin and Councilman Anthony. My name is Lina Elfimova. I agree with everything our Association has said here, and I would like to add that as an Investor from California I have made an effort to purchase and rehabilitate run down properties in areas that were hit hard by the economic downturn. My properties were vandalized and seemed to be in forgotten neighborhoods. I have invested a lot of money to bring beauty back to these homes and in turn have brought back life into these neighborhoods.

By requiring a special use permit for any property with more than 2 bedrooms you will hurt my operation and cause me to lose a lot of money. It

is my hope that the Council will see the importance of what the Short Term option means for Las Vegas and the tourist industry and the important role it plays in helping bring back forgotten neighborhoods. "

Lina Elfimova

2721 Alcom
Las Vegas, NV

Submitted At Meeting

Date 5/15/17 Item 5

SPEAKER CARD



DATE:

5/15/17

AGENDA ITEM/ITEMS #:

2017-16

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PLEASE PRINT

NAME:

JARAH FALK

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

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FM-0384-02-17

SPEAKER CARD



DATE:

5-15-17

AGENDA ITEM/ITEMS #:

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PLEASE PRINT

NAME:

GEORGE GRAHAM

ADDRESS (Optional):

TELEPHONE NUMBER (Optional):

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FM-0384-02-17

CITY OF LAS VEGAS SPEAKER CARD

DATE: 6/15/17 AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: KENDALL HEATH

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

All information provided on this card is public information and may be disseminated

FM-0384-08-11

COMMENTS ATTACHED

Kendall Heath
P1

1116 Bennett Ave
LAS VEGAS NV
89117

5108 Wapiti Pt
Las Vegas NV 89130

Good morning Councilwoman Tarkanian, Councilman Ross, Councilman Coffin
(Mayor Goodman)

SHORT TERM RENTALS ARE ESSENTIAL TO THE HOME RENTAL MARKET.

I would like to share my experiences with my STR guests and many
are long term guests who stay over 30 days.

People LOVE LAS VEGAS and they come for all different reasons.

1 GIVE YOU THE COMFORTS OF HOME

Most my guests are more senior people, by that I mean 50+ and
they come for several weeks, even MONTHS AT A TIME. Many are retirees who
come to visit FAMILY MEMBERS who live here - CHILDREN &
GRANDCHILDREN.

Many are parents whose children are in the military stationed at Nellis and Creech.
Many are military people who have assignments at the military bases. Some
come with their families; some come alone.

Others come for FAMILY REUNIONS or individuals whose family and
friends are GETTING MARRIED and a lot of times these are different people from
different parts of the country but they want to stay together in 1 house where they
can spend their time together cooking and sharing meals in the same house under
the same roof, watching football games or other sporting events. And they come
with children who do not want to be confined to 1 room.

Submitted At Meeting

Date 5/15/17 Item 5

Kendall Health
P2

For whatever reason they want to be together under the same roof and for this they need a HOUSE, WHERE THEY CAN BE COMFORTABLE, SPREAD OUT, HAVE ROOM AND WATCH THE PROGRAMS THEY WANT WHEN THEY WANT TO WATCH THEM.

A lot of my guests HAVE PETS, sometimes SEVERAL OF THEM, where they can take them right outside to use the yard. Buy steaks at the neighborhood grocery store and put them out on the grill, HAVE A BARBECUE. All these things are like the COMFORTS OF HOME, being able to stretch out in a WHOLE HOUSE not just be in 1 room everyday and that's what a lot of people want when they seek A SHORT TERM RENTAL. These are not party people NOT THE PARTY-GOERS.

2. TEMPORARY WORK ASSIGNMENTS.

A lot of people come for TEMPORARY WORK ASSIGNMENTS or BUYING A NEW HOME and their house isn't ready yet.

3. HOME DISASTER RELIEF

Or FIRE DAMAGE or DAMAGE to their current home in Las Vegas that is under repair. Many people have to evacuate their house due to some disaster that happened and the insurance companies are repairing their house that will take weeks or months. They have children and pets. THESE PEOPLE NEED A SHORT TERM RENTAL.

Kendall Auth
P3

I've been doing STR for 12 years now and I have not had 1 complaint from any neighbor or any police authority. I've never had to evict anybody for misbehavior.

SHORT TERMS RENTALS ARE AN ESSENTIAL PART OF THE RENTAL MARKET. Please do not restrict us to 2 BEDROOM RENTALS.

CITY OF LAS VEGAS SPEAKER CARD

DATE: May 15, 2017 AGENDA ITEM/ITEMS #: _____

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PLEASE PRINT

NAME: Carrie Helms

ADDRESS (Optional): 89104

TELEPHONE NUMBER (Optional): 702-802-1533

All information provided on this card is public information and may be disseminated

FM-0384-08-11

COMMENTS ATTACHED

Carrie Helms
2105 Santa Paula DR.
Las Vegas, NV 89104

Hello my name is Carrie Helms and I have lived and worked in Vegas on the strip with Cirque Du Soleil as an artist and performer for over 10 years. I love the city of Las Vegas and want to share my home and community with others.

I recently purchased my first home with the intention to use it as a vacation home rental but because of the 600 law, I am prevented from doing this. I ask that you reconsider this law and make it more reasonable and fair for licensing. I would like to provide a responsible, legal and regulated business with your help. Please allow me to keep my home and heart in Las Vegas

Thank you-

Carrie Helms

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: Bill 2017-16

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PLEASE PRINT

NAME: Leslie Homan

ADDRESS (Optional): 1558 Aztec way Las Vegas NV

TELEPHONE NUMBER (Optional): 951-733 5586 89169

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FM-0384-08-11

I own a Vacation Home in Las Vegas.
I have spent over \$180,000 in
Renovations to restore my home to
Its former glory. Decorated in true Vintage
I only want to use as a short term
rental for highly vetted and thorough
checked guests. I have very high
standards and only room for max.
6 guests.
my rules are very tough!

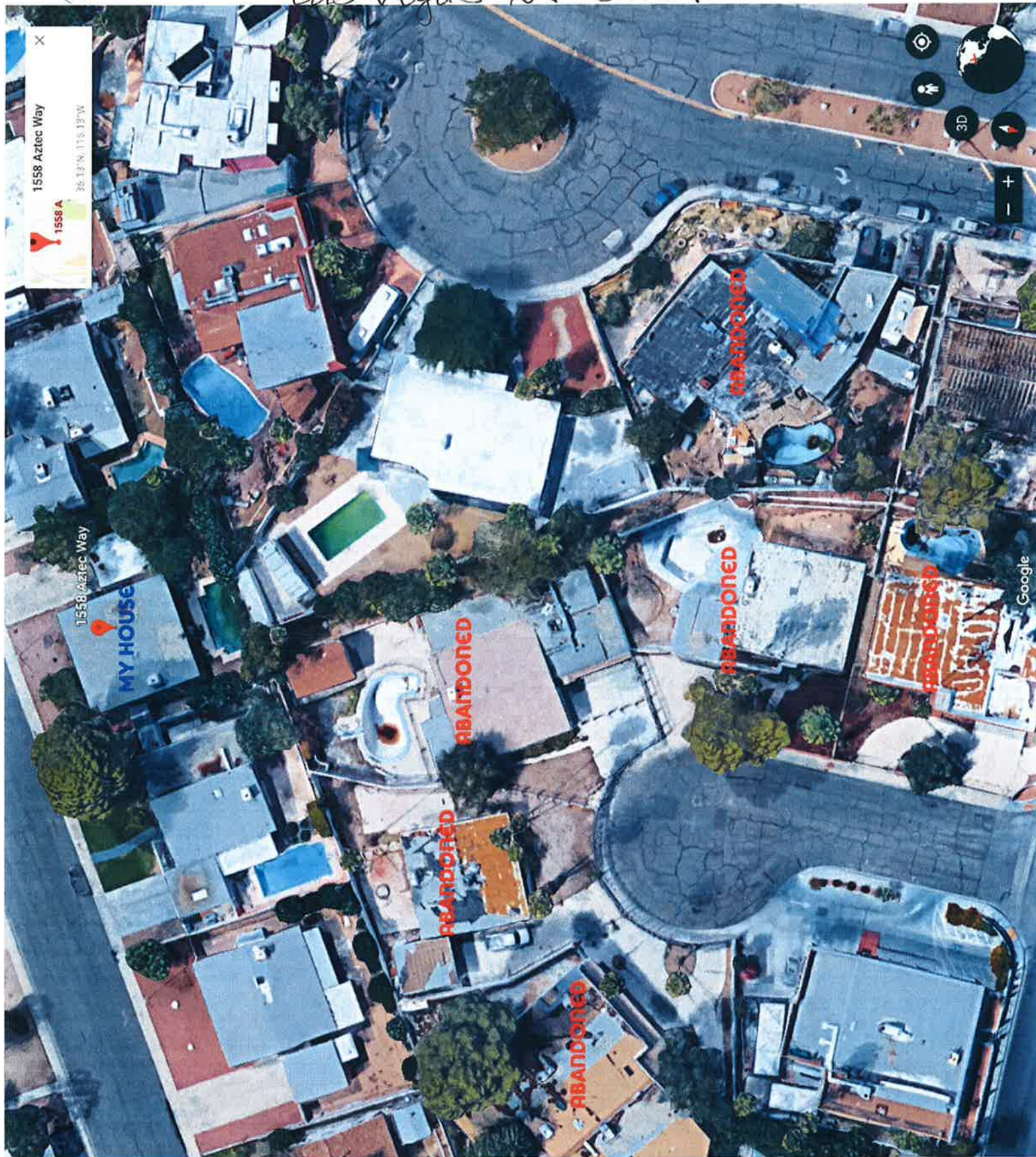
PHOTOS ATTACHED

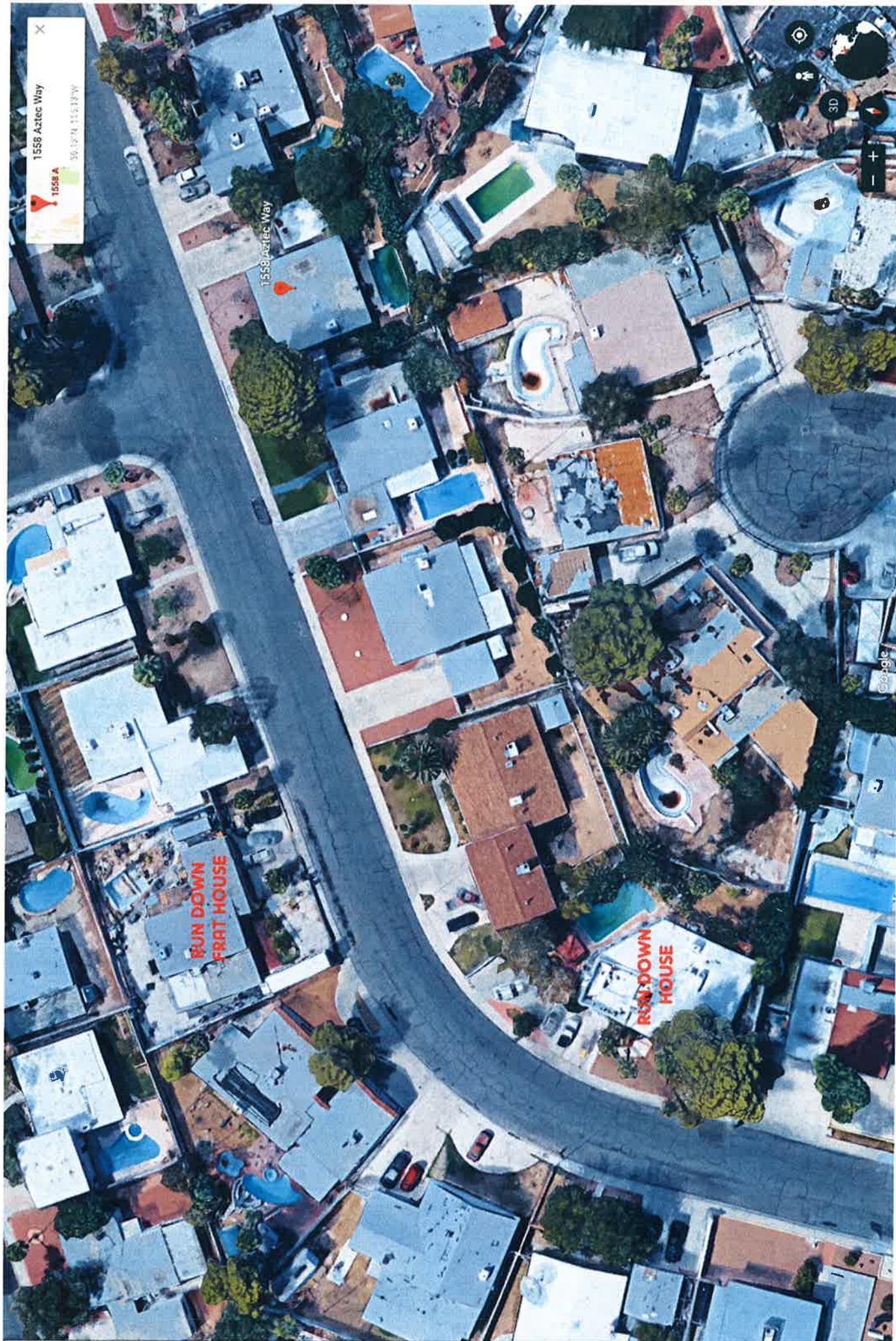
Submitted At Meeting

Date 5/15/17 Item 5

My Home

Leslie Homan
1558 Aztec Way
Las Vegas NV 89169





My Home Before Renovation



my home before #2



my home after \$40,000⁰⁰

Renovation



my home after Rub overaction

#2



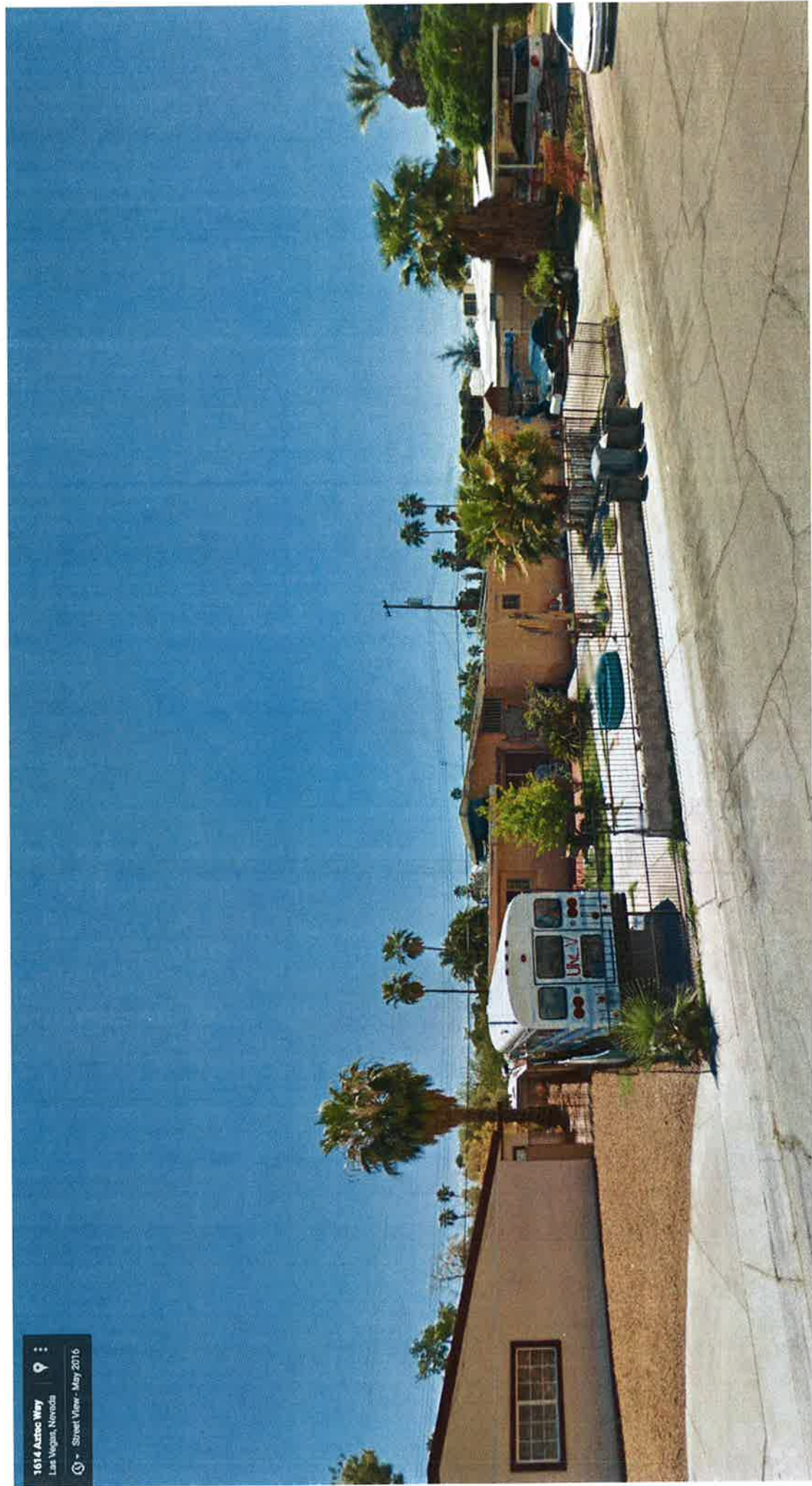
Seminole Dr 80% abandoned



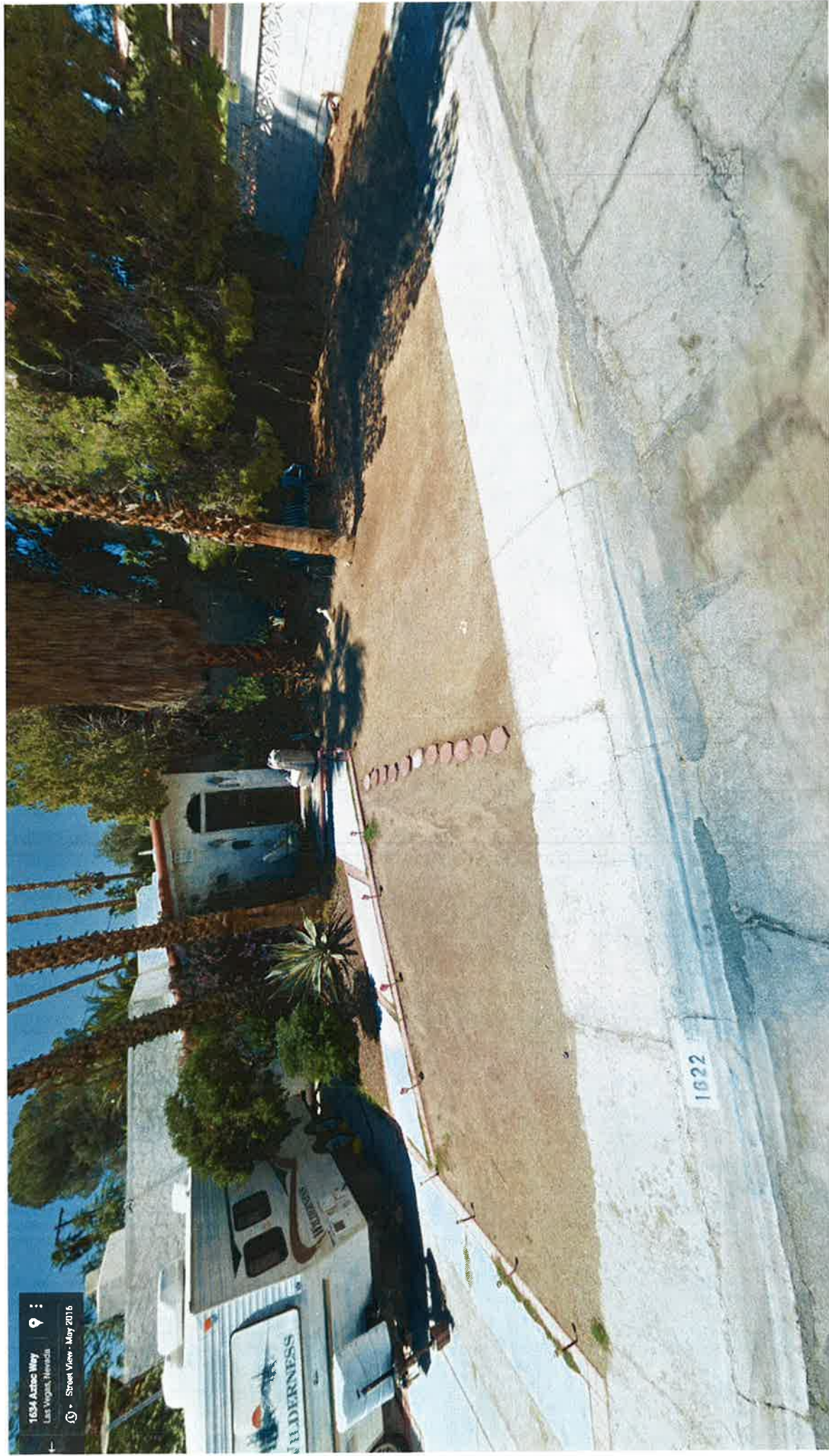
Z homes on my block
in need of renovation



Run down frat House



Run down House down the
Street.



CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17

AGENDA ITEM/ITEMS #: Bill 2017-16

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Jessica Khalilzadegan

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

COMMENTS ATTACHED

Good morning council members. My name is Jessica. I have lived in Las Vegas for 16 years. I am here today to show my support for short term vacation rentals. I feel the 660 ft law in order to qualify for a permit is unreasonable for a lot of people who would like to apply for permits. It's nearly impossible for most of us new to the downtown area to obtain due to this law. I am in support of reasonable regulations of short term vacation rentals. Thank for your time.

Jessica Khalilzadegan
6909 Auklet Ln

soon to be in 2 weeks
downtown

5-15-17

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: Short Term Rentals

If you wish to address the Council, please complete this form and submit it to the City Clerk at the front of the Chambers. When you are recognized by the Mayor, please come to the podium, state your name for the record. Groups or organizations are asked to designate a spokesperson. When more than one citizen is heard, please give careful attention to others' remarks to avoid repetition. Brief statements are helpful to the Council in reaching a decision based on sound judgment.

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PLEASE PRINT

NAME: Julie Khalilzadegan

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

COMMENTS ATTACHED

Comments on Short Term Rentals in Las Vegas

Julie Khalilzadegan

05/15/17

6909 Auklet Lane
North Las Vegas, NV
89084

Madam Mayor and City Council Members:

I am Julie Khalilzadegan, I have lived in Las Vegas since 1999, all of my immediate family reside here also.

I appreciate the opportunity to comment on the new proposed changes to the Short Term Rental Licensing laws in Las Vegas.

I am here with the Vegas Vacation Rentals Association VVRA in support of REASONABLE LICENSING LAWS pertaining to short term rentals in the city of Las Vegas.

I have witnessed first hand the important difference that new technology in our world can make. The new platforms that bring short term rental visitors to our houses and homes of all types are amazing and powerful. Not only do they open up the definition of how to host visitors here in Las Vegas but they level the playing field on the economic front for many small businesses and individuals.

Neighborhoods in downtown Las Vegas that still have boarded up homes and many 30+ day long term rentals, have failed miserably to come back after the housing collapse. The neighborhoods are in need of economic help. The short term rental businesses will change these communities for the better.

Short term rental homes have been an economic boost in these communities, many investors are renovating again and reselling to short term vacation landlords. These short term vacation landlords must compete with hundreds of other homes to look beautiful and sell to their customers. At the same time we are all very aware of the balance that must be kept in these communities.

While some "fly by night" groups have taken advantage of this new technology for short term rentals, to abuse and create noise problems in neighborhoods, I believe the problem of Party Homes can and will be solved.

All of the people here from VVRA want ALL short term landlords to be licensed so they can be monitored by an independent security agency, with an easy to use HOT LINE phone number that can be used by the public and overseen by all that are involved, at the expense of the short term rental license holders.

The 660 foot law is clearly not working, it is merely stopping the processing of any more licenses.

Please do not squash the short term rental legalization for Las Vegas, lets fix it together.

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: _____ AGENDA ITEM/ITEMS #: _____

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PLEASE PRINT

NAME: Dan Lacey

ADDRESS (Optional): 10019 Emerald Pools St

TELEPHONE NUMBER (Optional): 201-522-3501

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FM-0384-08-11

Comments ATTACHED

Good Morning Councilwoman Tarkanian, and Councilman Coffin, my name is Dan Lacey. I agree with everything the association has said here and I'd like to tell you a quick story.

10 months ago, after spending our entire lives in New Jersey, my family and I traveled across the country to relocate, live and thrive here in Las Vegas. When I first arrived here, I had no livelihood. At that point in time, I *nervously* decided to do Uber and Lyft driving. The one thing that kept going through my head was a funny saying, sometimes said by New Jersians, ***"We don't like nobody, we don't trust nobody and we don't talk to nobody."***

Well I started ride-sharing and I was absolutely BLOWN AWAY at how incredibly nice people were. I mean really! People from all over our great country. People from all over the world. I thought people were going to be disrespectful, rude, and rowdy. Well, it didn't take me long to see, how very wrong I was going into this new venture. In fact, it changed my whole perspective on people. I eventually ended up completing over 700 rides, and I never had ONE SINGLE incident that was out of hand. Not one. In fact, I used to tell so many of my guests that same story, and we would laugh. But, I would always finish up by saying the same thing, ***"There truly is hope for humanity."*** I mean that.

So, I would like to finish up with all of you by giving you the same bit of advice that I myself learned..... don't let a few bad apples tarnish your image of people. The vast majority of people are a lot nicer and respectful than you might know.

Thank you for your time.

Dan Lacey
10019 Emerald Pools St
LV 89178

Submitted At Meeting
Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5.15.17

AGENDA ITEM/ITEMS #: BILL NO. 2017-16

I oppose the Bill - of ending STR see The Ca

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PLEASE PRINT

NAME: Zohar Lotem

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 702-327-3575

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FM-0384-08-11

I oppose bill NO. 2017-16

This Bill would kill legal STR.
That isn't a wise solution.

use fees and taxes to supervise and enforce
the STR Rules and Regulations. close
all illegal STRs.
make the Bill so we all gain.

STR Brings more income To the citizens
Brings more diversity To the tourists
makes visiting Vegas affordable to families

Submitted At Meeting

Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: _____

Special

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PLEASE PRINT

NAME: Sigrid M.

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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Theresa Messoloras

310-924-4720

My name is Theresa Messoloras and I have had a Short Term Rental permit with the City of Las Vegas now two years. I have happy guests and happy neighbors. I pay my yearly permit fee of \$500 and I pay my monthly taxes. I would like to speak of the proposed plan that require 2 bedrooms with me in residence during guest stays. That's not what was required on my license. If you are not going to grandfather my license in good standing, it would be a hardship to have to make major changes due to the proposed ordinance change. Thank you.

9807 OVERLOOK RIDGE AVE
LAS VEGAS NV 89148

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17

AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: THERESA MESSOLORAS

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): 310 924 4720

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CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Aaron Oetting

ADDRESS (Optional): 8

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Randall Patterson

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11



Las Vegas may 15th 2017.

To whom it may concern,

I, Loic Pillon, broker and property manager of The International Team in Las Vegas market. My short term property management license is G64-09222.

I represent French investors who are buying properties in the city of Las Vegas to do short term rentals. For instance, the last property we have bought was a foreclosure completely destroyed that we have renovated for over \$22,000. The neighbors came to visit the house and were delighted by the finish we have put into it and happy that the value of their house will increase because of our investment. Also, we have entirely furnished the house for over \$11,000 and bought scratch and dent appliances for over \$2500 to a small family shop in the city. Again this is CASH into the local economy, giving jobs to locals.

Finally, please do not forget Short term rental works because there is a demand for the convenience of having a entire house from tourists visiting our beautiful city.

Regards,

LOIC PILLON

THE INTERNATIONAL TEAM

BROKER/PROPERTY MANAGER

7050 w.desert inn rd

Las Vegas, NEVADA 89117

(702) 294-0466 OFFICE

(866) 472.1337 FAX

internationalteamlv@gmail.com

Submitted At Meeting
Date 5/15/17 Item 5

Good morning Councilwoman Tarkanian, Councilman Coffin and Councilman Ross.

My husband and I travel quite frequently and usually book our stays at vacation rental properties instead of a hotel room so that we can have the comforts of a home, cook meals and have room for family members to come over and visit. It's a lot more relaxing than being in a hotel room.

I can't count how many times our family have gone to NFL games in other states and booked into a vacation rental property and stayed by where the stadium is located. We are able to cook meals and enjoy each other's company instead of being in separate hotel rooms.

When I travel to a city and want to be a part of what's going on in the city then I will book into a hotel room, but when my travels brings me to places that are located outside the buildings of downtown, it is then that I like to book into vacation rental properties.

I think that a person should have options to travel the way that they would like to travel. People are not traveling the way that they use to and it is up to us to change the market here.

I have a lot of family members that come to Las Vegas (like we all do!), and I can't house them all.... I like the freedom of booking a home close by so that we all can visit comfortably.

Most of my family and friends travel this way, it has become the travel way of the future and I am completely for it.

Thank you for your time



Lynn Pinkston
8820 El Camino Rd
Las Vegas, NV. 89139

5/15/17

Submitted At Meeting
Date 5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/2017

AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: Miriamah Saba

ADDRESS (Optional): 767 Rossmore Dr 89110

TELEPHONE NUMBER (Optional): 720-933-9874

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-2017

AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: Dennis R. Schulte

ADDRESS (Optional): 3130 Plaza St., Las Vegas, NV 89121

TELEPHONE NUMBER (Optional): 702-810-4906

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FM-0384-08-11

Hi my name is Lauri. I am a Las Vegas resident. I am in support of reasonable regulations for short term vacation rentals. As a mom of 3 boys I find it very enjoyable and easier for my family to use vacation rentals when traveling. I think vacation rentals are an asset to the community and I would like to see them remain in Las Vegas. Thank you

5/15/17

Lauri Sass
6909 Auklet Ln

Submitted At Meeting

Date ⁵5/15/17 Item 5

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: 2017-16

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PLEASE PRINT

NAME: R. Andrew Stahl
ADDRESS (Optional): 2400 Deer Springs Way 89131
TELEPHONE NUMBER (Optional): 702 430 9599

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17 AGENDA ITEM/ITEMS #: short term rental

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PLEASE PRINT

NAME: Tomer Steinberg
ADDRESS (Optional): _____
TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

Good morning (afternoon) Madam Mayor, Councilman Coffin and Councilwoman Tarkanian.

My name is Lori Suitor and I am a 27 year resident of Las Vegas. I first want to say that I agree with the position of the Vegas Vacation Rentals Association. We are advocating for a universal ordinance to be adopted in all of Clark County so all the rules and regulations are the same.

We want the laws streamlined for licensing so people won't "cheat" and the SUP enforced for properties 5 bdrms or more. As you have already heard, VVRA advocates code enforcements because that is the only way to weed out the bad players, those homeowners who do not screen their guests carefully enough to insure that their rentals don't become party houses.

Some are bound to slip through the cracks, but responsible STR owners work closely with their booking agents and take extra measures to vet their guests for background and credit because it is our own personal property. In fact, because it is our personal investment, we probably take that responsibility more seriously than the hotels.

The VVRA encourages all STR owners to employ and implement a 24 hour response hotline which includes a private security team to respond to neighbor complaints. VVRA also advocates and encourages STR owners to personally introduce themselves or their representatives surrounding neighbors around their rentals so that those home owners feel comfortable calling the owners first, giving owners the opportunity to handle the matter or contact private security. We don't want our STR neighbors disturbed any more than we want to be disturbed in our own homes.

STR are universally accepted and are an easy, economical means of lodging for many working men, women their families and their friends. It is an opportunity to share costs enabling them to spend their money where it counts.

Vacationers don't come to LV to sit in their hotel rooms and it is a well-known fact that's not where the casinos want them. We want to provide an economical, safe, clean and comfortable environment for our guests to rest and refresh when they come to enjoy all the incredible entertainment, shopping, world class culinary cuisine as well as present and future sports events that only this Fabulous city of ours offers because this is VEGAS BABY and that's what makes us the number 1 vacation destination in the world.

Submitted At Meeting

Date 5/15/17 Item 5

Submitted by Julie Davies

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5-15-17

AGENDA ITEM/ITEMS #: 5

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PLEASE PRINT

NAME: SHARON STIGLER

ADDRESS (Optional): 9030 W SANDRA ST #203 LV 89117

TELEPHONE NUMBER (Optional): 702-249-6050

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17

AGENDA ITEM/ITEMS #: Bill No. 2017-16

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PLEASE PRINT

NAME: JUDAH ZAKALIK

ADDRESS (Optional): 1621 Birch St., LV, NV 89102

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

CITY OF LAS VEGAS SPEAKER CARD

DATE: 5/15/17

AGENDA ITEM/ITEMS #: Bill No. # 2017-16

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PLEASE PRINT

NAME: Michael Zeng

ADDRESS (Optional): _____

TELEPHONE NUMBER (Optional): _____

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FM-0384-08-11

Hello,

The Huntridge Community East of Las Vegas Blvd between Charleston and Sahara needs your help. The community has been blighted over the last decade and beyond.

Recently I have seen a massive movement to rehab the homes in this historic community bringing new life to the area! However this movement is not happening by chance. I believe it is directly tied to the vacation rental community.

If you drive through the streets of this classically Vegas community one will see drastic variances in the conditions of the homes. Some homes are perfectly manicured and maintained yet others will have cars parked in the grass with foot tall weeds and the structure is one step away from being boarded up.

From what I am seeing investors are purchasing non financeable homes in the area needing massive renovations to be livable. Traditional home buyers would not have the means to do such a thing. These investors are selling to a niche market of small business entrepreneurs. These entrepreneurs are trying to leverage the record high tourism Las Vegas is experiencing by providing family friendly vacation rentals.

There is a new evolution that is now on the cusp of happening with the beautification of the Huntridge community. Primary home buyers are able to now purchase refurbished property's with traditional financing. We are seeing a movement from slumlord held low rent housing to owner occupied home buyers. This is being made possible by the vacation rental market. I can go into much greater detail about how this symbiotic relationship is evolving but at the risk of becoming endless below are the main points that I feel are causing friction between policy makers and future growth of this area specifically.

- We need to remove the 660 foot distance limitation as this is drastically limiting potential homes that could be rehabbed and sold continuing the upward direction of the community.
- If the city wants owners to be licensed to operate a short term rental in Las Vegas we need to remove the fear of becoming legal. Part of this fear is the distance requirement and risk of losing income from being shut down by the city. These small business operators rely on this income on a month to month basis and taking it away could result in mortgages being forfeited to the banks.
- 6.75.090(F): Having a placard displayed on the front of a home it to be a vacation rental property is inviting crime and vandalism based on occupancy.
- 6.75.090(J): It is not practical to have manager living on site for a 5 bedroom home. I assume this is to control noise from events in larger properties. We may want to look at not allowing large gatherings in short term rental homes. This can be controlled by occupancy maximums.
- 19.12.70 (#7) Having an owner on site again is not practical and raises safety concerns in general.

Please help our community grow. Thank you.

Submitted At Meeting
Date ^{5/}15/17 Item 5

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 12:24:06 PM MDT		I'm against this bill to limit STR. STR should be allowed with license all over town.			
2017/05/15 1:28:45 PM MDT	Against	Having owner or employee stay in the same house put their life at risk. Who is responsible if rape or murders happen?	Ori solomon	9108 Covered Wagon Ave.	ori.solomon@gmail.com
	Against		Kristen DeSilva	323 N 11th Street	kristenddesilva@gmail.com
		There needs to be an understanding that there is difference between Owner Occupied Short Term Rentals and Non owner occupied. When the owner of the home lives in the home, its not a business and more someone trying to make ends meet. I agree these kind of regulations are needed for Non owner occupied properties. Currently Owner occupied short term rentals do not require a license, the current measure would change this. Requiring home owners with more than 2 bedrooms or homes that have someone with a license within 660 feet to get a license and follow all the same rules as these business owners. My suggestion is simple Owner Occupied short term rentals shouldn't require a license. They are not businesses, they are not party homes, they obviously can not expand beyond one house, and if there is any issues the owner is right there. Owner occupied short term rental hosts are people vested in the neighborhood that are trying to make ends meet, so they should not be subject to same rules/ordinances as business owners trying to buy up entire blocks.			
2017/05/15 2:58:16 PM MDT	Against		Aaron Oetting	822 Park Paseo	awoetting@gmail.com
2017/05/15 3:50:12 PM MDT	Against		Samia	1604 Kirkland ave	Stwainy@gmail.com
2017/05/15 3:56:08 PM MDT	Against		Noell c		noellechaban@gmail.com
				89149	

Recommendation
 Submitted after meeting
 Date 5/19/17 Item 5

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 4:05:42 PM MDT	Against	How can we ever hope to sustain DTLV as a vibrant urban core if we continue to treat it as no more than a place for tourists to stop for a moment before moving on to the next place that will become nothing more but faded memories in the recesses of their minds? We need the people who own and rent downtown properties to care about downtown. To live here, play here and shop here. To become a part of our vibrant community and lend their uniqueness to it. Why is it so difficult to grow the local downtown base? Because the city treats the area like a tourist's playground.	Steph Grimes	230 S Maryland Parkway #28, Las Vegas	stphgrimes@gmail.com
2017/05/15 4:06:08 PM MDT	Against		Rina Serrano	2108 Bonnie Brae Ave	rinaserrano111@aol.com
2017/05/15 4:07:08 PM MDT	Against		Richard Serrano	2108 Bonnie Brae Ave	Purerican1@gmail.com
2017/05/15 4:12:01 PM MDT	Against		Joseph Joshi	3208 Bonnie Brae Ave.	Misterjijoshi@gmail.com
2017/05/15 4:22:34 PM MDT	Against		Michael Johnson	1603 mayfair	nospan@gmail.com
2017/05/15 4:24:36 PM MDT	Against	I feel a 2 bedroom house shouldn't need a special use variance since it never creates parking issues or large gatherings. It should be required for large 3 bedroom or more homes.	Linda Kapetan	601 tiffany lane	kapsinvegas@gmail.com
2017/05/15 4:42:21 PM MDT	Against		Karen Haggard	1315 E Oakley Blvd	Karen.lisitano@gmail.com
2017/05/15 4:47:57 PM MDT	Against		Kathleen A Schell	1027 Wengert Ave	19katels@gmail.com
2017/05/15 4:52:23 PM MDT	Against		Frances calzada	N/a	Lovescrunch@yahoo.com
2017/05/15 4:57:06 PM MDT	Against		Danny Fulkerson	1400 Franklin Ave.	Photobyknuckles@hotmail.com
2017/05/15 5:02:32 PM MDT	Against	I think that there are enough restrictions already in place.	Tara Harvey	1220 Chapman Dr. LV, NV 89104	taraharvey@hotmail.com
2017/05/15 5:50:01 PM MDT	Against		Donna Stanton	5209 W Gowan Rd, Las Vegas, NV 89130	Dstanton817@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 6:04:02 PM MDT	Against	Stop trying to restrict the free market please. It's big money from Strip Properties and Hotel chains that want to push for an ordinance like this.	Riley Hunt	7017 Whipple Manor Street, Las Vegas, NV 89166	Rhunt806@gmail.com
2017/05/15 6:16:33 PM MDT	Against	We have dangerous elements in our communities as it is, we don't need them spread out throughout the valley! Keep them concentrated in the Strip and downtown, where they can be watched!	Leslie Firestone	7636 Splashing River Ct, LV, NV 89132	Leslie122759@aol.com
2017/05/15 7:17:57 PM MDT	Against	The current regulations are plenty. Enforce what you have and stop allowing variances! No more than one within 660 feet. Perfect.	Vegas Downtowner	706 Bonita Ave	vegasdowntowner@gmail.com
2017/05/15 7:27:14 PM MDT	Against	Short term rentals or just occasionally renting one room is way better than letting someone take over your house and not having daily or weekly access, the hassle of damage after leaving, evicting, using house to grow or sell drugs etc... I have used them all over the world and they are great... If you own the house you should be able to have whomever as a guest you want!!! Not to mention people have to keep the house in amazing shape and have curb appeal compared to investor slum lords!!!! I have an abandoned squatter house next to mine that is on the news all the time. City doesn't give a turd about that, but cut into casino profits now that's a problem..	Mike Michaels	1311 Franklin	Akagibheat@aol.com
2017/05/15 7:41:04 PM MDT	Against		Shea Foley	2025 Peyton Drive	Sfoley@unlv.nevada.edu
2017/05/15 7:49:50 PM MDT	Against	Ruins neighborhoods	Steven Hix	911 Vantage Point Rd	Steventhix@cox.net
2017/05/15 9:15:43 PM MDT	Against		Chris Clifton	1713 Cochran St. Las Vegas, NV 89104	Chris@cclifton.com
2017/05/15 9:25:30 PM MDT	Against	We don't need that kind of transience in our neighborhoods.	Jackie DeMaio	10620 Bandera Mtn Lane 89166	jackie.demaio@cox.net
2017/05/15 10:45:39 PM MDT	Against	Too much regulation	Mamie Able	7413 Timber Run St 89149	Mamieable@yahoo.com
2017/05/15 10:52:36 PM MDT	Against		Rina Serrano	2108 Bonnie Brae Ave	rinaserrano111@aol.com
2017/05/15 10:52:36 PM MDT	Against		Richard Serrano	2108 Bonnie Brae Ave	Purican1@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 10:52:36 PM MDT	Against		Joseph Joshi	3208 Bonnie Brae Ave.	Misterjioshi@gmail.com
2017/05/15 10:53:07 PM MDT	Against	If I buy a property, it's my business how I manage it as long as my mortgage is paid.	Andrea Vigil	6217 Chandon Court	Ajavigil3@aol.com
2017/05/15 10:53:23 PM MDT	Against		Richard Serrano	2108 Bonnie Brae Ave	Purerican1@gmail.com
2017/05/15 10:53:23 PM MDT	Against		Joseph Joshi	3208 Bonnie Brae Ave.	Misterjioshi@gmail.com
2017/05/15 10:53:30 PM MDT	Against		Rina Serrano	2108 Bonnie Brae Ave	rinaserano111@aol.com
2017/05/15 10:53:45 PM MDT	Against		Richard Serrano	2108 Bonnie Brae Ave	Purerican1@gmail.com
2017/05/15 10:53:45 PM MDT	Against		Rina Serrano	2108 Bonnie Brae Ave	rinaserano111@aol.com
2017/05/15 11:41:15 PM MDT	Against	There is nothing wrong with people opening up their homes to other people who don't want to be in a hotel. If world would just lowered their guards down a little. The world would be a better place	Apollo Liu	2105 Bonnie brae	Supguy1110@aol.com
2017/05/16 12:40:08 AM MDT	Against		Cindy Quintero	1411 Jessica Ave	cq4devo@frontier.com
2017/05/16 1:28:14 PM MDT	Against		Juan Cardenas	2113 W Oakley Blvd.	juanmario.cardenas@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/16 2:58:56 PM MDT	Against	Two issues need to be fixed in the ordinance: 1) Owner-occupied short term rentals with 2 bedrooms should not need to get a business license or Special Use Permit if another short term rental is within 660 feet. As the ordinance is written now, this owner-occupied short term renter only needs to get a SUP if another rental starts up within 660 feet. However, once a new short term rental starts operating then the original owner-occupied short term renter will not be eligible for a SUP because of the 660 foot rule. The original owner-occupied short term renter of a 2 bedroom home should be protected in this situation. The solution would be not to require an owner-occupied short term rental to get a business license or SUP. 2) I am concerned that this ordinance invades on the property rights of owner-occupied short term rental homes. No one should be able to regulate who is and who is not allowed to come into someone's home and this ordinance does just that for owner-occupied short term rentals. There needs to be some verbage in place that protects the property rights of owner-occupied short term renters. I am concerned that once we start regulating who is and who is not allowed in someone's home while it is owner occupied then that leaves the doorway open for a further invasion of a homeowner's property rights. The solution here would be not to require SUPs for owner-occupied homes. I support regulation and I like Airbnb so I understand that owner-occupied rentals are a commercial business and need to be taxed like one. I suggest treating owner-occupied homes as you would any home-based business. This means no SUPs for owner-occupied short term rentals. Thank you for your time.	Sarah Falk	822 Park Paseo, Las Vegas, NV 89104	seoetting@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 4:53:32 PM MDT	Against in its current form	Someone renting out a spare room in there house that they live in, regardless of the number of bedrooms is NOT the same as renting out the entire house. They shouldn't be held to the 660 ft rule nor have to apply for A SUP. Forcing a current permit holder go through the scrutiny of a SUP when they are already in good standing is unfair. The neighborhood will always vote no. You have a mechanism in place to revoke the condition use permit already. Requiring a log on premise which shares previous guest personal information is wrong. Having a sign on the property is basically letting robbers as well as neighbors know that the house is empty. A 24 hour hotline could be a good answer for this. Decreasing the allowable guests from the rated occupancy according to the building code is unfair to guests with family or groups of responsible guests who just want to stay together. Thank you for embracing the concept of vacation rentals and home shares, it is the way the newer generations are choosing to travel and will happen regardless. Getting ahead with the regulation is the most prudent thing you can do. There is a way to have balance, I pray that you will craft legislation to reflect a balance.	Brian Griffiths	2125 Glen Heather way Las Vegas NV 89102	briankeithgriffiths@yahoo.com
2017/05/15 6:59:20 PM MDT	Fine with it as long as they are registered and pay required fees. And then the city follows up to enforce licenses and registrations	See above. As long as the city can enforce regulations, then fine. But my hoa is currently trying to battle one that is not registered. Since the city does not know about it, they aren't able to do anything about it.	Phil Cory	9813 Turtle Walk Ave 89149	philip_cory@yahoo.com
2017/05/15 2:53:55 PM MDT	For	Short-term rentals are bad for our neighborhoods. They are businesses, not residences! They must have strict regulations!	Ellen Scott	epmscott@hotmail.com	epmscott@hotmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 2:54:46 PM MDT	For	I believe the most important thing is for some sort of on property management, or strong consequences for violating neighborhood rules. I generally don't have an issue with folks who want to rent out a room to visitors for extra income. But the homes where there is no permanent resident have been very problematic. Also, there should be stronger consequences for those operating illegally. Many property owners have been denied the special use permit, but continue to operate as an AirBnb regardless. As a neighborhood resident, I prefer to live among and know my neighbors. A community of strangers is not a good community.	Michelle Larime	556 Ellen Way Las Vegas NV 89104	michelle.larime@gmail.com
2017/05/15 3:22:19 PM MDT	For	Please allow us to make money off our properties if we do chose.	Jose vazquez	1241 s 7th st, lv nv 89104	Jose.luis.vazquezii@gmail.com
2017/05/15 3:26:51 PM MDT	For	While I do not support short-term rentals in my neighborhood, I live in Southridge and own a home in Rancho Manor, I understand that they are now a part of the community. I support special use permits for all licenses so that each and every neighbor can have the opportunity to comment on applications. I believe that the City needs to be prioritizing enforcement with the many stipulations that this license includes.	Rae	913 E Hassett LV NV 89104, 34 Jade Cir LV NV 89106	rae.lathrop@gmail.com
2017/05/15 3:58:48 PM MDT	For	Each neighborhood should have as loud a voice as possible in determining what happens within them. I support the SUP provision as it gives more power to the residents. I know, however, that market demand is strong for these uses and it will likely not be totally denied. I support the allowance of a limited number of these properties with higher taxes placed upon them so they can pay for their own, proper regulation, like every other business does.	Mark Scott	1508 Kirkland Ave	toonkee@yahoo.com
2017/05/15 4:01:13 PM MDT	For	I chose not to live next to a motel, that's why I bought a home in a residential neighborhood!	Mary Rusch	2200 Kirkland Avenue	Marerusch@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 4:07:04 PM MDT		Increase the 660 foot distance requirement to 1,000 feet; every rental has to have an SUP; home owners must be accountable for tenants within 30 minutes; no music after 10 pm; no street parking; no commercial vehicles; no large gatherings ie wedding receptions, etc. Contact information for property owner must be displayed for neighbors. This must be enforceable with actual penalties that will deter this behavior. For example, for the first offense, a penalty of \$2,500, second offense is a penalty of \$5,000 and third offense is \$10,000. If more than three offenses, the SUP is revoked.	Nicholas Bennett	2116 Kirkland Avenue, Las Vegas, NV	indytrashman@yahoo.com
2017/05/15 4:24:19 PM MDT	For	no short term rentals - please remove my last vote. misread survey	Michael Johnson	1603 mayfair	nospam@gmail.com
2017/05/15 4:30:14 PM MDT	For	Please remove my previous answer as I misread and AM VERY MUCH IN SUPPORT of this ordinance. Thank you.	Kristen DeSilva	323 n 11th Street Unit A 89101	Kristenddesilva@gmail.com
2017/05/15 4:30:37 PM MDT	For	Residential homes should not be used at motels. We have 150,000 rooms in this town that support the community. These do nothing for the community.	Lee Yarbrough	1941 Houston Dr.	lee@vegaslee.com
2017/05/15 4:31:30 PM MDT	For		Jace Payne	1056 Griffith ave	Scorchy187@apl.com
2017/05/15 4:34:21 PM MDT		Short term rentals have huge potential for interfering with the peaceful enjoyment of residential neighborhoods. Owners who rent their entire home, or who rent more than two rooms in their home, should be required to pay a fee which goes toward creation and maintenance of a new agency which has the authority to enforce noise ordinances and otherwise deal with renters who are a nuisance. Each rental home should have a sign placed prominently with a phone number and property number for neighbors to call. The agency should have the ability to cancel permits for property owners who do not respond appropriately.	JoNeil Thomas	1509 South 5th Place LV NV 89104	jonell@jonellthomas.com
2017/05/15 4:35:30 PM MDT	For		Alexander	Glen Heather Estates	mdalex@centurylink.net

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 4:36:26 PM MDT	For	Please allow owner occupied rentals of 3 bedroom homes or less without an SUP. Please come up with some type of room tax that would be spent in Ward 3. Please make sure these VVRA people pay enforcement costs. It should never be cheap or easy to conduct a commercial business in a residential neighborhood.	Kathleen Kahr	1208 Norman Avenue	kattkahr@gmail.com
2017/05/15 4:57:25 PM MDT	For	I support city oversight and regulation of short-term rentals in neighborhoods like mine!!! Lack of regulation of short-term rentals is harming our neighborhood.	Catherine Borg	2201 Santa Paula Drive	catherineborg@mac.com
2017/05/15 5:10:35 PM MDT	For	Firmly against short term in historic neighborhoods. We as neighbors have grown a strong, communicative community. Tourists and weekend partiers not only disrespect that people actually live near their crash pad, it lowers the value of the surrounding properties. I worry that short terms could hurt the current positive state of DTLV neighborhoods. Our economy is built off of hotels, short term rental just does not make sense in Las Vegas in general.	Tamarisk Wood	577 Bonita	vegas_spider@yahoo.com
2017/05/15 5:19:26 PM MDT	For		Palma Biernat	6566 Chinatown Street	Palimab@gmail.com
2017/05/15 5:57:20 PM MDT	For		Brian norton	7665 Calico Fields st	Beej2001@yahoo.com
2017/05/15 7:19:26 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com
2017/05/15 7:23:58 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com
2017/05/15 7:24:33 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 7:24:52 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com
2017/05/15 7:25:17 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com
2017/05/15 7:25:43 PM MDT	For	If short term rentals reach too high density it will negatively impact the sense of community that comes with ownership and long-term investment in your neighborhood.	Scott Swank	546 Barbara Way, 89104	Scott.swank@gmail.com
2017/05/15 7:53:21 PM MDT	For		Heidi swank	546 Barbara Way 89104	Heidiswank@yahoo.com
2017/05/15 7:56:58 PM MDT	For	Please remove my previous answer as I misread and AM VERY MUCH IN SUPPORT of this ordinance. Thank you.	Kristen DeSilva	323 n 11th Street Unit A 89101	Kristenddesilva@gmail.com
2017/05/15 8:06:38 PM MDT	For	People should be allowed to rent their homes for short period of times. If it becomes a problem then the renter is fined. They should have to collect "neighborhood annoyance deposit".	William Cimo	2124 Crooked Pine Drive	wcimo@yahoo.com
2017/05/15 8:14:27 PM MDT	For	not good for neighborhood stability and driving up prices too fast	Jack LeVine	1818 8th Place	jack@unclejack.com
2017/05/15 10:25:43 PM MDT	For	Need more specific restrictions covering more scenarios and protecting the neighborhoods and people who live in them	Juli Shapiro	1010 Bracken Avenue	Jbr89109@cox.net
2017/05/15 10:56:35 PM MDT	For		kelly fowler	2208 bonnie brae ave	kfowleras@gmail.com
2017/05/15 11:02:24 PM MDT	For	If the owner is not present on the property or at least living in the neighborhood, there should be more regulations.	Welthy Silva	1433 Cottonwood Place	welthy@hotmail.com
2017/05/16 12:23:24 AM MDT	For		William	9745 Grand Teton Dr.	Wlston2@gmail.com
2017/05/16 9:50:10 AM MDT	For		Nicolle Liquorish	1305 Francis ave 89104	nicolletliquorish@gmail.com

Timestamp	For or Against	Comments	Name	Address	Email address
2017/05/15 4:49:19 PM MDT	I am "for" but with amendments.	I think the distance between units should be increased to 1200 feet and the fee should be increased as long as the additional funds are used to improve Code Enforcement efforts.	Steven Tomlinson	1733 E. Oakey Blvd. Las Vegas NV 89104	Steven.tomlinson@gmail.com
2017/05/15 4:21:27 PM MDT	Needs better regulation	Not against it per se but I am against a home being turned into a "party house." Having drinking, lots of cars and loud noise on a regular basis should be disallowed. Renting to someone in town for a visit or business is fine.	Brian Hess	9145 Echelon Point dr #1008	robertbrianhess@hotmail.com
2017/05/15 6:15:13 PM MDT	Rentals should be limited to owner occupied. And should be taxed via the airbnb vrbo company websites that are making a fortune of the backs of owners trying to save their homes.	Rentals should be limited to owner occupied. And should be taxed via the airbnb vrbo company websites that are making a fortune of the backs of owners trying to save their homes.	mm stratton	2620 south Maryland parkway	mm.stratton@homecamp.com

From: [Karen Duddleston](#)
To: [Carman Burney](#)
Subject: Fwd: Urgent Letter Re: Short Term Rentals
Date: Sunday, June 04, 2017 9:29:58 AM

I will forward several letters, they need to go to the Clerk's Office as part of Short Term Rentals.

Karen E. Duddleston
Deputy Planning Director
City of Las Vegas

Begin forwarded message:

From: Association President <scotch80neighbor@gmail.com>
Date: June 2, 2017 at 11:35:03 AM PDT
To: Association President <Scotch80Neighbor@gmail.com>
Subject: Fwd: Urgent Letter Re: Short Term Rentals

Open Letter to Mayor Carolyn Goodman:

Dear Mayor Goodman,

As one of your neighbors I am deeply disturbed that you have taken no firm or public position on Council Bill 2017-16, that requires restrictions and new guidelines on Short Term Rentals/Party Houses. From an email letter of May 16 you sent to our Scotch Eighty Owners Association you made certain statements as to your concerns that seemed vague.

*"But for me now my focus is on **three overriding** areas and how each maybe relevant to the issues of short term rentals. This is before even*

AGENDA ITEM #37

Submitted after final agenda

Date 6/5/17 Item 37

considering how funding will be made available to implement whatever is expected to occur:

- 1. Safety*
- 2. Disturbance (public)*
- 3. Property destruction and/or visually offensive conditions to property”*

What you, and certain City Council members, seem to ignore as the central issue is: that no neighborhood resident currently has any knowledge or input when a Business License is applied for and approved.

My question to you: Do you support that position? That neighbors have no say about short term rentals next to them?

In Council Bill 2017-16 for every short term rental application a SUP is required. This gives neighbors and neighborhoods a right to be heard to protect their neighborhoods. Do not let lobbyists who have approached you water down this provision.

There is also a lobbying effort to get rid of or lower the distance between short term rentals. When these variances come before Planning Commission, and they are doing so in increasing numbers, it indicates that there is already a surge of short term rentals already operating, and they are now rapidly growing in number!

Please, do not get rid of the 660 feet separation and/or increase it to 1,200 feet.

As to your concern about ‘funding’ needs of this bill. If there is increased need to police short term rentals by Code Enforcement it is because the City has allowed short term rentals to grow rampant. Now big corporations are moving in, including out-of-state speculators, and they are pouring money into hiring lobbyists. Our neighborhood, your

neighborhood, does not have the funds to fight for our protection when these lobbyists come calling on you. Who will speak for us? You?

In the Scotch Eighty neighborhood, there are two legal business licenses party houses and five other homes operating illegally. And there is still technical room for five other legal short term rentals. Is this what you want for your friends and neighbors? Turning our neighborhood into motel living!!

Are you aware that two neighbors of yours are considering wasting money on applications for a Short Term Business License just to protect against other short term rentals to be operated near them? Do you feel that is what it has come to defend our R-E and R-1 neighborhoods?

You have a recognized and powerful voice in this community. I think it is time that you make a public statement against this epidemic of commercialization of short term rentals as big business. If you don't support Councilwoman Tarkanian's bill I think it is proper on the front end that you also let your friends and neighbors know now—so that we might go elsewhere in search of those who want to protect the Scotch Eighty neighborhood and the City of Las Vegas neighborhoods.

Respectfully,

Keith Resnick

17 Crescent Drive

cc: Las Vegas Review Journal, Las Vegas Sun

Members of City Council

Selected members of Neighborhood Associations throughout city

Scotch Eighty Owners Association

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **Consent** ☒ **Discussion****SUBJECT:**

Bill No. 2017-23 - For possible action - Ordinance creating City of Las Vegas Special Improvement District No. 813 -Summerlin Village 26 - Ward 4 (Anthony). Proposed by: David N. Bowers, Director of Public Works

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** \$11,400,000**Funding Source:** Capital Project Funds - Special Assessments**Dept./Division:** Public Works/SID**PURPOSE/BACKGROUND:**

PN II, Inc. (the Developer) has requested that the City of Las Vegas (City) form a special improvement district within the City pursuant to the provisions of Nevada Revised Statutes Chapter 271 to levy special assessments, and to issue one or more series of bonds to provide for the construction, acquisition, or furnishing of certain public improvements within Special Improvement District No. 813 (Summerlin). This ordinance orders the creation of the special improvement district for the purpose of acquiring and improving street projects, storm sewer projects, sanitary sewer projects, water projects and drainage projects paid by special assessments, according to benefits received by the parcels of land within the proposed district pursuant to NRS Chapter 271.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2017-23

Summary – An ordinance creating the City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26), ratifying action taken by City officers toward the creation of such District, and providing other matters related thereto.

BILL NO. 2017-23

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT, DRAINAGE PROJECT, AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), deems it necessary to create the City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project, drainage project, and water project (collectively, the “Project”), and to defray the entire cost and expense of the Project by special assessments, according to benefits levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, pursuant to Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”), there has previously been presented to the Council a written petition from PN II, Inc., a Nevada corporation (the “Developer”), requesting the City to initiate the formation of the District and the acquisition and improvement of the Project and to issue bonds and levy assessments and requesting the City to proceed with certain actions required by the Act; and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the Council and the officers of the City have done or caused to be done all things necessary and preliminary to the creation of the District, including but not limited

to the filing by the City Engineer (the “Engineer”) with the City Clerk of an accurate estimate of cost, full and detailed plans and specifications which comply with NRS 271.710(3)(b), an assessment plat and map and an assessment roll, and the Council now desires to authorize the Project by this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as and may be cited by the short title “District No. 813 Creation Ordinance” (this “Ordinance”).

Section 2. There shall be, and hereby is, created in the City an improvement district designated as the “City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26)” for the purpose of acquiring and improving the Project, as more particularly described below. The Council, pursuant to NRS 271.325(1), has also determined and does hereby declare as follows:

(a) The public convenience and necessity require the creation of the District.

(b) The creation of the District is economically sound and feasible.

(c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 3. The Project, which is hereby ordered to be acquired and improved, shall be as shown on the full and detailed plans and specifications for the District filed with the City Clerk. The kind and location of the Project (without mentioning minor details) is as follows:

The Project consists of the acquisition and construction of certain improvements within the District to include without limitation streets, sanitary sewers, storm sewers, drainage improvements, and water mains, in and along the property described in Section 4, and all appurtenances and incidentals necessary, useful or desirable, including real and other property therefor, which is more particularly described (with all segment lengths to be current approximations subject to minor adjustment) as set forth below:

Project 1 – Sewer Main Installation (Phase 1)

As part of the sewer main installation, and in conformance with the utility master plan in use at the time, an 8-inch sewer main is connected to existing sewer pipe at Cliff Shadows Parkway. For Reverence Parkway (formerly Desert Hope Drive), 2,829 feet of sewer line pipes are to be installed for future connection for Reverence Phase 1. In most of the area of Phase 1, 8-inch sewer pipes are deemed sufficient for the project serviceability, however, 10-inch sewer pipes are needed on Red Yucca Drive and Raywood Ash Drive due to installation depth and slope. Approximately 2,384 feet of 8-inch pipes are to be installed from the point of connection at Reverence Parkway to Phase 1 and Phase 2 boundary in Unit 3. 2,123 feet of 8-inch pipes are proposed on Desert Hope Drive, Terra Firma Lane, and Unit 8. 963 feet of 10-inch pipes are to be installed on Red Yucca Drive east of Terra Firma Lane. Another 942 feet of 10-inch pipes are to be installed on Raywood Ash Drive to the point of connection at Raywood Ash Drive and Reverence Parkway.

Project 2 – Water Main Installation (Phase 1)

This project includes all of the water installation for Reverence Parkway (formerly Desert Hope Drive) and Reverence Phase 1. A 16-inch water main is planned from the point of connection at the northwest corner of Lake Mead Boulevard and the 215 Beltway. This main is to serve the 3320 water zone. Two 16-inch waterlines to serve the 3320 and 3205 pressure zones are planned from the existing stubs provided at the 215 Beltway. For the 3205 pressure zone, 1,037 feet of 16-inch waterline is used as main from the point of connection to Reverence Parkway and Raywood Ash Drive, and it reduces to 8-inch waterline for the rest of Reverence Parkway (1,523 feet) going north to serve the future Detention Basin. For the 3320 pressure zone connecting from the 215 Beltway, 16-inch water line is used as main on Desert Hope Drive and Reverence Parkway, and it is to connect the water main from Lake Mead Boulevard. The total length of 3320 pressure zone 16-inch waterlines is 6,337 feet. Two 8-inch waterlines with a total of 1,546 feet are planned on Terra Firma Lane and Desert Hope Drive to Red Yucca Drive for unit connections. An 8" PRV vault is to be installed on the southeast corner of Terra Firma Lane and Red Yucca Drive.

Project 3 – Storm Drain Main Installation (Phase 1)

This project includes all of the storm drains for Phase 1. Onsite storm drain mains to be installed and discharged to the existing offsite drainage as part of the offsite drainage improvements. On Evolutionary Lane, 282 feet of 24-inch, 20 feet of 30-inch, and 148 feet of 42-inch storm drain pipes to be installed and discharged into the 20-foot by 7.3-foot channel. On Reverence Parkway, 154 feet of 18-inch, 2,431 feet of 24-inch, and 73 feet of 36-inch storm drain pipes are installed and discharged into the 20-foot by 6-foot RCB storm drain. On the west side of Phase 1, the storm pattern flows north from Units 11 and 12 down to Unit 8. 121 feet of 24-inch, 336 feet of 30-inch, 712 feet of 36-inch, 83 feet of 42-inch, 1,336 feet of 66-inch, 1,327 feet of 72-inch, and 70 feet of 8-foot by 7-foot RCB to be installed for intercepting storm water from future phases to the west side of Phase 1.

Project 4 – Reverence Parkway between Cliff Shadows Parkway to Desert Hope Drive (Phase 1)

This project includes completion of all remaining road improvements, paving, curb, gutter, utility valve adjustments, etc. per the approved improvement plans for Reverence Parkway from Cliff Shadows Parkway to the guard shack at Desert Hope Drive, which is approximately 5,025 feet.

Project 5 – Streetlights at Reverence Parkway between Cliff Shadows Parkway to Desert Hope Drive and Traffic Signals at Cliff Shadows Parkway and Desert Hope Drive (Phase 1)

This project includes all Reverence Parkway streetlights installation from Cliff Shadows Parkway to Desert Hope Drive with a total of 34 streetlights. At the intersection of Cliff Shadows Parkway and Reverence Parkway, two 400-watt traffic signal poles and 2 pullboxes are installed for four-way intersection.

Project 6 – Sewer and Water Main Installation (Phase 2)

This project includes both the water and sewer installation for Phase 2. 8-inch sewer mains are planned to connect to Phase 1 sewer mains at two locations, one at Unit 3 and another at Unit 8. 117 feet to be installed at Unit 3, and 627 feet to be installed at Unit 8. For Phase 2 water, 2,071 feet of 16-inch waterline is planned to connect to Phase 1 16-inch waterline on Reverence Parkway to the future point of connection at Lake Mead Boulevard and Reverence Parkway. A 16" PRV vault to be installed to reduce the water pressure from 3435 to 3320 water zones.

Project 7 – Storm Drain Main Installation (Phase 2)

This project includes all of the storm drain installation for Phase 2. On Reverence Parkway, south of Arch Culvert, 647 feet of 24-inch storm drain mains to be installed and discharged to a dual 10-foot by 11.5-foot Arch Culvert. Also on Reverence Parkway, 887 feet of 18-inch storm drain to be installed from Rejuvenate Place to the existing point of connection from Phase 1 storm drain mains. At Unit 8, 500 feet of 66-inch storm drain is connected to Phase 1 66-inch storm drain. Approximately 496 feet of 48-inch and 267 feet of 66-inch storm drain to be installed and connected to Phase 1 66-inch storm drain at Unit 11.

Project 8 – Reverence Parkway between Cliff Shadows Parkway to Lake Mead Parkway (Phase 2)

This project includes road improvements, paving, curb, gutter, utility valve adjustments, etc. for Reverence parkway from Desert Hope Drive to Lake Mead Boulevard, approximately 2,590 feet. This project also includes all Reverence Parkway streetlights installation from Desert Hope Drive to Lake Mead Boulevard, with a total of 14 streetlights.

Project 9 – Sewer and Storm Drain Main Installation (Phase 3)

This project includes both the sewer and storm drain installation for Phase 3. 253 feet of 8-inch sewer pipe to be installed as main between Phase 2 and Phase 3 at Unit 8 and Unit 9. This project also includes Phase 3 storm drain construction.

Approximately 76 feet of 30-inch and 224 feet of 48-inch storm drain to be installed at Unit 7 and connected to Phase 1 72-inch storm drain at terra Firma Lane and Ansel Drive. Approximately 255 feet of 36-inch, 118 feet of 48-inch, and 767 feet of 66-inch storm drain mains to be installed on the north side of Unit 9 and connected to Phase 2 66-inch storm drain. 134 feet of 36-inch and 138 feet of 48-inch storm drain mains to be installed on the south side of Unit 10 and connected to Phase 2 48-inch storm drain.

The boundaries of the District, including the parcels to be assessed, are as follows:

**SUMMERLIN VILLAGE 26
SID DESCRIPTION**

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13 AND SECTION 14, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE ALONG THE NORTH LINE THEREOF, SOUTH 89°39'55" EAST, 1275.54 FEET; THENCE SOUTH 25°39'43" WEST, 388.72 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1584.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°18'05", AN ARC LENGTH OF 423.02 FEET; THENCE SOUTH 40°57'49" WEST, 101.60 FEET; THENCE NORTH 49°02'11" WEST, 21.80 FEET; THENCE SOUTH 40°57'49" WEST, 95.50 FEET; THENCE SOUTH 33°16'24" WEST, 40.36 FEET; THENCE SOUTH 40°57'49" WEST, 107.86 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 7712.10 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 49°02'27" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°30'17", AN ARC LENGTH OF 740.96 FEET; THENCE SOUTH 46°27'50" WEST, 2012.58 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3032.40 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°11'45", AN ARC LENGTH OF 539.62 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 53°43'55" WEST; THENCE SOUTH 41°43'30" WEST, 20.32 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 3034.40 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 54°06'50" EAST; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°03'19", AN ARC LENGTH OF 638.46 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 4313.40 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 66°10'10" EAST; THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°46'34", AN ARC LENGTH OF 585.40 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 73°56'43" WEST; THENCE SOUTH 81°10'15" WEST, 283.63 FEET; THENCE NORTH 74°00'00" WEST, 89.15 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 1432.00 FEET; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°48'25", AN ARC LENGTH OF 145.13 FEET; THENCE NORTH 68°11'35" WEST, 171.82 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 576.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°58'02", AN ARC LENGTH OF 90.15 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 324.00 FEET, THROUGH WHICH A RADIAL LINE BEARS SOUTH 30°46'27" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°58'02", AN ARC LENGTH OF 50.71 FEET; THENCE NORTH 68°11'35" WEST, 316.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 30.00 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 79°43'48" EAST; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°32'13", AN ARC LENGTH OF 6.04 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 68°11'35" WEST; THENCE NORTH 68°11'35" WEST, 37.00 FEET; THENCE SOUTH 21°48'25" WEST, 11.00 FEET; THENCE NORTH 68°11'35" WEST, 37.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 30.00 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 68°11'35" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°32'13", AN ARC LENGTH OF 6.04 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 56°39'22" EAST; THENCE NORTH 68°11'35" WEST, 91.91 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1153.67 FEET; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°54'44", AN ARC LENGTH OF 119.04 FEET; THENCE NORTH 74°06'19" WEST, 187.26 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2962.00 FEET; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°16'20", AN ARC LENGTH OF 324.25 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 9°37'21" EAST; THENCE NORTH 03°39'12" WEST, 70.75 FEET; THENCE NORTH 86°20'48" EAST, 581.41 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE

NORTHWEST, HAVING A RADIUS OF 500.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 48°56'25", AN ARC LENGTH OF 427.08 FEET TO A POINT TO WHICH A RADIAL LINE BEARS SOUTH 52°35'36" EAST; THENCE NORTH 09°12'00" WEST, 411.54 FEET; THENCE NORTH 60°02'46" EAST, 100.47 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 400.00 FEET; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 118°09'15", AN ARC LENGTH OF 824.87 FEET; THENCE NORTH 58°06'29" WEST, 397.48 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 250.00 FEET; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 56°53'38", AN ARC LENGTH OF 248.25 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 500.00 FEET, THROUGH WHICH A RADIAL LINE BEARS NORTH 25°00'07" WEST; THENCE WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 43°33'01", AN ARC LENGTH OF 380.05 FEET; THENCE NORTH 71°27'06" WEST, 157.98 FEET; THENCE NORTH 02°10'39" EAST, 90.24 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°17'45", AN ARC LENGTH OF 150.00 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 150.00 FEET, THROUGH WHICH A RADIAL LINE BEARS NORTH 34°52'54" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°17'45", AN ARC LENGTH OF 150.00 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 500.00 FEET, FROM WHICH BEGINNING THE RADIUS BEARS SOUTH 87°49'21" EAST; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°54'55", AN ARC LENGTH OF 226.15 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 250.00 FEET, THROUGH WHICH A RADIAL LINE BEARS NORTH 61°54'26" WEST; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°52'27", AN ARC LENGTH OF 147.80 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 150.00 FEET, THROUGH WHICH A RADIAL LINE BEARS NORTH 84°13'06" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 97°57'21", AN ARC LENGTH OF 256.45 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 150.00 FEET, THROUGH WHICH A RADIAL LINE BEARS NORTH 02°10'27" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 66°12'52", AN ARC LENGTH OF 173.35 FEET TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 1200.00 FEET, FROM WHICH BEGINNING THE RADIUS BEARS NORTH 64°02'25" WEST; THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°58'02", AN ARC LENGTH OF 1172.17 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 59°59'33" EAST AND BEING A POINT ON THE NORTH LINE OF SAID SECTION 14; THENCE ALONG SAID NORTH LINE, NORTH 88°00'36" EAST, 1513.21 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 50°27'16" EAST, 271.29 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTH, HAVING A RADIUS OF 500.00 FEET; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 102°00'00", AN ARC LENGTH OF 890.12 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 250.00 FEET, THROUGH WHICH A RADIAL LINE BEARS SOUTH 62°27'16" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°00'00", AN ARC LENGTH OF 65.45 FEET TO A POINT TO WHICH A RADIAL LINE BEARS NORTH 47°27'16" WEST AND BEING A POINT ON THE NORTH LINE OF SAID SECTION 14; THENCE ALONG SAID NORTH LINE, NORTH 88°00'36" EAST, 1455.05 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 296.95 ACRES.

BASIS OF BEARINGS

SOUTH 89°39'55" EAST, BEING THE BEARING OF THE NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M. AS SHOWN IN BOOK 153, PAGE 19 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

Section 4. The District shall constitute one construction unit with the projects and subprojects described in Section 3. All of the costs of the Project will be defrayed by assessments. The assessments, levied in the principal amount not to exceed \$11,400,000 plus interest thereon, shall be payable in semiannual installments payable semiannually at the office of the City Treasurer. Sixty (60) amortized assessment installments of principal and interest will be due semi-annually on April 1 and October 1 of each year, commencing on October 1, 2017, and ending on April 1, 2047. The assessments will initially be levied on a net area basis. Developed land will be reapportioned its fair share of the assessments as if it were undeveloped, with the assessments being further distributed on an equal unit basis per area or tract, if it is developed into single-family residential units or residential condominium units. Each single family residential unit or residential condominium unit in an area or tract will be an equal unit. Therefore, the assessment for that net assessable area will be reapportioned to single-family residential units or residential condominium units for that area on an equal basis. If the developed use is not single-family residential or condominium units, the assessments will be apportioned on the net assessable area basis, all as more fully described in the ordinance levying the assessments.

Section 5. All actions, proceedings and matters previously taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the District and the Project, including but not limited to the performing of all prerequisites to the creation of the District, the entering into of the Financing Agreement, the acquisition and improvement of the Project, the determination of the specially benefited property therein, and the levy of assessments for that purpose be, and the same hereby are, ratified, approved and confirmed.

Section 6. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the completion of the levying of the assessments for the District and the issuance of the bonds for the Project.

Section 7. Immediately upon the final adoption of this Ordinance, the Council shall, and hereby directs the City Clerk to, file in the office of the County Recorder of Clark County, Nevada, a certified copy of the list of the tracts to be assessed, as shown on the final

assessment plat and map. Notwithstanding the foregoing, neither the failure to record such list nor any defect or omission in such list regarding any tract to be included in the District shall affect the validity of any assessment, the lien for the payment thereof or the priority of that lien.

Section 8. If bonds are issued for the Project, the Engineer is hereby authorized to approve all requests by the Developer for payment by the City for the acquisition of each subproject described in the Financing Agreement, subject to and in accordance with the applicable provisions of the Financing Agreement. Upon such approval, the City Treasurer is hereby authorized to make such payments to the Developer, without the necessity of any further authorization or approval by the Council.

Section 9. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, previously repealed.

Section 10. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT, DRAINAGE PROJECT, AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 495. S. Main Street, Las Vegas, Nevada, Las Vegas, Nevada, and that such Ordinance was proposed June 7, 2017, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on June 21, 2017.

/s/ LUANN D. HOLMES, MMC,
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 11. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT, DRAINAGE PROJECT, AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 7, 2017, and was passed at the meeting held on June 21, 2017, by the following vote of the City Council:

Those Voting Aye: _____
Those Voting Nay: _____
Those Absent: _____

This Ordinance shall be in full force and effect from and after the 25th day of June, 2017, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this June 21, 2017.

/s/ CAROLYN G. GOODMAN
Mayor

Attest:

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication of Adoption of Ordinance)

Section 12. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

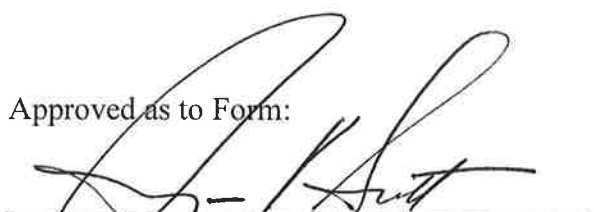
CAROLYN G. GOODMAN, Mayor

(SEAL)

Attest:

LUANN D. HOLMES, MMC,
City Clerk

Approved as to Form:



BRYAN K. SCOTT, Assistant City Attorney

This Ordinance shall be in full force and effect from and after June 25, 2017, i.e., the date after the publication of such ordinance by its title.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on June 7, 2017 and finally adopted and approved on June 21, 2017.

2. The following members of the Council were present at the June 7, 2017 Council meeting:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

Those Absent:

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 7, 2017, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on June 21, 2017, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the June 21, 2017 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

Those Voting Nay:

Those Absent:

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as the City Clerk, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings on June 7, 2017 and June 21, 2017. Pursuant to Nevada Revised Statutes (“NRS”) 241.020, written notice of the meetings was given not later than 9:00 a.m. on the third working days before the meetings 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 meetings on the City’s website, on the official website of the State of Nevada pursuant to NRS 232.2175, 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) City Hall
495 S. Main Street
Las Vegas, Nevada
- (ii) City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada
- (iii) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada
- (iv) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (v) The City of Las Vegas website

and

(b) Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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 7, 2017 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on June 21, 2017 is attached to this certificate as Exhibit B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand on this June 21, 2017.

LUANN D. HOLMES, MMC, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of June 7, 2017 Meeting)

EXHIBIT B

(Attach Copy of Notice of June 21, 2017 Meeting)

EXHIBIT C

**(Attach Affidavit of Publication of Notice of Deposit of
the Ordinance)**

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ Consent ☒ Discussion**SUBJECT:**

Bill No. 2017-24 - For possible action - Ordinance concerning City of Las Vegas Special Improvement District No. 813 - Summerlin Village 26 - Ward 4 (Anthony) and assessing the cost of local improvements against the assessable property benefited by the local improvements. Proposed by: David N. Bowers, Director of Public Works

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

PN II, Inc. (the Developer) has requested that the City of Las Vegas (City) form a special improvement district within the City pursuant to the provisions of Nevada Revised Statutes Chapter 271 to levy special assessments, and to issue one or more series of bonds to provide for the construction, acquisition, or furnishing of certain public improvements within Special Improvement District No. 813 (Summerlin). This ordinance concerns levying and assessing the cost of local improvements against the assessable property benefited by the improvements. Local improvements, including street projects, storm sewer projects, sanitary sewer projects, drainage projects and water projects, shall be paid by special assessments according to the benefits levied against the benefitted parcels of land within the district pursuant to NRS Chapter 271.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2017-24

Summary – An ordinance levying assessments in City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26), ratifying action taken by City officers toward the levy of assessments, and providing other matters related thereto.

BILL NO. 2017-24

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 813 AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council (the “Council”) of the City of Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26) (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project, water project and drainage project (the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District; and

WHEREAS, there has previously been presented to the Council a written petition from PN II, Inc. (the “Developer”) requesting the City to initiate the acquisition and improvement of the Project, to issue bonds and levy assessments and requesting the City to proceed with certain actions required by Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”); and

WHEREAS, the City and the Developer have entered into an agreement (the “Financing Agreement”) for the acquisition and improvement of the Project, which contains the terms and conditions required by NRS 271.710 and 271.720; and

WHEREAS, the Developer is the owner of 100% of the assessable property comprising the District; and

WHEREAS, the District has been created by an ordinance designated as the “District No. 813 Creation Ordinance” previously approved by the Council under the provisions of the Act; and

WHEREAS, the Council has determined that the entire cost and expense to the City of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, such cost and expense of the Project includes the costs and expenses of the City to be incurred in connection with the issuance of the bonds by the City (including any refunding thereof, the "Bonds") to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds; and

WHEREAS, the Council has determined and does hereby declare that the net cost to the City of the Project is \$11,400,000 of which \$-0- is available from other sources and \$11,400,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District; and

WHEREAS, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Council, together with the Engineer, made out an assessment roll for the District containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has filed the assessment roll with the City Clerk; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

WHEREAS, it is incumbent upon the Council to provide when said assessments shall become due and the penalties payable after any delinquency; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:

Section 1. This ordinance shall be known as and may be cited by the short title "District No. 813 Assessment Ordinance" (this "Ordinance").

Section 2. All actions, proceedings and matters previously taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the acquisition and improvement of the

Project, the levy of assessments for those purposes, and the validation and confirmation of the assessment roll and the assessments therein, are ratified, approved and confirmed.

Section 3. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District in the form on file in the office of the City Clerk on the date of adoption of this Ordinance, the amounts and assessments shown in the assessment roll (as so filed and confirmed). The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 4. The Developer, pursuant to the Financing Agreement, has elected to pay the assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid assessments shall be payable on April 1 and October 1 of each year, commencing on October 1, 2017, in sixty (60) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds issued for the District. Before Bonds are issued, the Council shall by resolution fix the rate or rates of interest on the unpaid and deferred installments or delegate such action to the City's Chief Financial Officer pursuant to NRS 271.415. The effective interest rate on the Bonds will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted.

The installments of the assessments shall be payable at the office of the City Treasurer. Pursuant to NRS 271.415(5), the City Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner's failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the April 1 or October 1 next succeeding

such notice. Except as herein provided, failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

The owner of any property assessed and not in default as to any assessment installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment date, together with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds (or any bonds issued to refund the Bonds) may then be redeemed without the payment of any premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. The owner of any assessed property may, at any time, request the City to provide information as to the total amount which will be due in connection with a proposed prepayment of an assessment by such owner and the City will promptly (but in any event within five (5) business days) provide such information to the owner. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the

remaining installments are semiannual substantially level installments of principal and interest with a final due date of April 1, 2047.

Assessment installments or assessment prepayments shall be reduced by the amount of any credits available for such installments or prepayments as provided in the Financing Agreement. This section does not prevent the City from amending this Ordinance, the Financing Agreement or any other documents executed in connection with the Bonds to provide for other uses of the interest earned on Bond proceeds, any excess Bond proceeds or the reserve fund established for the Bonds (the "Reserve Fund") in connection with a refunding of the Bonds; and the owners of the property assessed in the District have no entitlement to payment of any amounts in the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.

Section 5. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien of assessments and general taxes. The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 6. (a) Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided on a net assessable area basis unless such land is divided into single-family residential units or residential condominium units, in which case the uncollected amounts will be divided on a per unit basis. Each single family residential unit or residential condominium unit in an area or tract will be an equal unit. Therefore, the assessment for that net assessable area will be reapportioned to single-family residential units or residential condominium units for that area on an equal basis. For purposes of such apportionment, the term "net assessable area" shall exclude (i) areas excluded from the definition of "assessable

property” pursuant to NRS 271.040, (ii) areas designated on the assessment plat as being areas of non-assessment, and (iii) properties which are conveyed with restrictions limiting the uses of such properties to common areas, parks, landscaped areas and other permanent open space. In the event that any conflict exists between the provisions of the assessment plat and this Ordinance, the terms of this Ordinance shall control. The area of lands not included in the net assessable area may be estimated by the City in the case of any apportionment for which final legal descriptions of the excluded area are not yet available and any such estimate shall be final and conclusive absent fraud.

(b) The City may also reapportion assessments on tracts (whether currently within the District or latter added to the District) with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2) if the Council finds that the proposed action will not:

(i) materially or adversely impair the obligation of the City with respect to the Bonds; or

(ii) increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the assessment.

(c) The report of such an apportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report nor any defect in the report as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 7. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the City Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the assessment installment delinquent on the assessment roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee’s last-known address. Said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to

271.630, and the assessment roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings. Unless otherwise directed by the Council, in the case of such a collection, the City Treasurer shall determine whether to cause the whole amount of the unpaid assessment with respect to such property to be immediately due and payable. If any such collection is not promptly enforced by the City, any bondholder may file and prosecute a foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 8. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the assessment roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 9. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such

notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 10. The notice provided for in NRS 271.390(2) and in Section 9 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
IMPROVEMENTS IN THE CITY OF LAS VEGAS, NEVADA,
SPECIAL IMPROVEMENT DISTRICT NO. 813
(SUMMERLIN VILLAGE 26)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on June 21, 2017 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the local improvements in what is designated as the "City of Las Vegas, Nevada, Special Improvement District No. 813 (Summerlin Village 26)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may commence an action or suit in any court of competent jurisdiction to correct or set aside such determination.

Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from June 25, 2017, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this June 21, 2017.

/s/ LUANN D. HOLMES
City Clerk

Amount of assessment \$ _____

Description of property assessed _____

(End of Form of Notice)

Section 11. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 12. All ordinances, bylaws, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, bylaw, resolution or order, or part thereof, previously repealed.

Section 13. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 495. S. Main Street, Las Vegas, Nevada, Las Vegas, Nevada, and that such Ordinance was proposed June 7, 2017, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on June 21, 2017.

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 14. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 7, 2017, and was passed at the meeting held on June 21, 2017, by the following vote of the City Council:

Those Voting Aye:

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after the 25th day of June, 2017, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this June 7, 2017.

/s/ CAROLYN G. GOODMAN

Mayor

Attest:

/s/ LUANN D. HOLMES, MMC

City Clerk

(End of Form of Publication)

Section 15. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

CAROLYN G. GOODMAN, Mayor

(SEAL)

Attest:

LUANN D. HOLMES, MMC,
City Clerk

Approved as to Form:



BRYAN K. SCOTT, Assistant City Attorney

This Ordinance shall be in full force and effect from and after June 25, 2017, i.e., the date after the publication of such ordinance by its title.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on June 7, 2017 and finally adopted and approved on June 21, 2017.

2. The following members of the Council were present at the June 7, 2017 Council meeting:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

Those Absent:

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 7, 2017, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on June 21, 2017, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the June 21, 2017 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

Those Voting Nay: _____

Those Absent: _____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as the City Clerk, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings on June 7, 2017 and June 21, 2017. Pursuant to Nevada Revised Statutes ("NRS") 241.020, written notice of the meetings was given not later than 9:00 a.m. on the third working days before the meetings 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 meetings on the City's website, on the official website of the State of Nevada pursuant to NRS 232.2175, 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) City Hall
495 S. Main Street
Las Vegas, Nevada
- (ii) City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada
- (iii) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada
- (iv) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (v) The City of Las Vegas website

and

(b) Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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 7, 2017 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on June 21, 2017 is attached to this certificate as Exhibit B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand on this June 21, 2017.

(SEAL)

LUANN D. HOLMES, MMC, City Clerk

EXHIBIT A

(Attach Copy of Notice of June 7, 2017 Meeting)

EXHIBIT B

(Attach Copy of Notice of June 21, 2017 Meeting)

EXHIBIT C

**(Attach Affidavit of Publication of Notice of Deposit of
the Ordinance)**

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ Consent ☒ Discussion**SUBJECT:**

Bill No. 2017-25 - For possible action - Ordinance authorizing the issuance and sale by the City of Las Vegas Special Improvement District No. 813 (Summerlin Village 26) Local Improvement Bonds, Series 2017, approving the form of certain documents with respect to such bonds, and ratifying action taken by City officers toward the issuance of such bonds. Proposed by: Venetta Appleyard, Director of Finance

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Amount:** \$11,400,000**Funding Source:** Capital Projects Fund - Special Assessments**Dept./Division:** Finance**PURPOSE/BACKGROUND:**

PN II, INC (the Developer) has requested that the City form a special improvement district within the City pursuant to the provisions of Nevada Revised Statutes Chapter 271 to levy special assessments, and to issue one or more series of bonds to provide for the construction, acquisition, or furnishing of certain public improvements within Special Improvement District No. 813 (Summerlin Village 26). This ordinance authorizes the issuance of Local Improvement Bonds in the principal amount of \$11,400,000 to provide funds to pay the cost and expense of local improvements within the Special Improvement District No. 813 (Summerlin Village 26).

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2017-25

Summary - An ordinance authorizing the issuance of the “City of Las Vegas, Nevada Special Improvement District No. 813 (Summerlin Village 26) Local Improvement Bonds, Series 2017”, and approving the form of certain documents with respect to such bonds, ratifying action taken by City officers toward the issuance of such bonds, and providing other matters related thereto.

BILL NO. 2017-25
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26) LOCAL IMPROVEMENT BONDS, SERIES 2017; APPROVING THE FORM OF CERTAIN DOCUMENTS WITH RESPECT TO SUCH BONDS; RATIFYING ACTION TAKEN BY CITY OFFICERS TOWARD THE ISSUANCE OF SUCH BONDS; AND PROVIDING OTHER MATTERS RELATED THERETO.

WHEREAS, the City of Las Vegas, Nevada (the “City”) is organized and operating pursuant to the provisions of Chapter 517, Statutes of Nevada 1983, as amended, and the general laws of the State of Nevada; and

WHEREAS, the City Council of the City (the “Council”) has heretofore, pursuant to the requisite preliminary proceedings, created the “City of Las Vegas, Nevada Special Improvement District No. 813 (Summerlin Village 26)” (the “District”) for the purpose of acquiring and improving a street project, storm sewer project, sanitary sewer project, drainage project, and water project (the “Project”) and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefitted lots, tracts and parcels of land in the District; and

WHEREAS, the Council has by ordinance levied assessments in the amount of \$11,400,000 against the property in the District benefitted by the Project; and

WHEREAS, the Council desires to issue its “City of Las Vegas, Nevada Special Improvement District No. 813 (Summerlin Village 26) Local Improvement Bonds, Series 2017”, in the aggregate principal amount of \$11,400,000 (the “Bonds”) to provide funds to pay the cost and expense of the Project; and

WHEREAS, the Bonds are to be payable from the sources permitted by the Consolidated Local Improvements Law, Chapter 271, NRS, and all laws amendatory thereof and

supplemental thereto (the "Act"), as more fully described in the hereinafter referred to Trust Indenture; and

WHEREAS, the Bonds are to be sold by the City to Stifel, Nicolaus & Company, Incorporated, as underwriter and purchaser of the Bonds (the "Purchaser"); and

WHEREAS, the Bonds are to be issued pursuant to a Trust Indenture (the "Trust Indenture") between the City and The Bank of New York Mellon Trust Company, N.A., as trustee; and

WHEREAS, the Bonds are to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser and accepted by the City's Chief Financial Officer (the "Chief Financial Officer"), which rates must not exceed by more than 3% the Index of Twenty Bonds most recently published in The Bond Buyer prior to the time the offer to purchase the Bonds is received, and are to be sold at a price equal to the principal amount thereof, plus accrued interest to the date of delivery of the Bonds, less a discount not exceeding 9% of the principal amount thereof, all as specified by the Chief Financial Officer in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Chief Financial Officer"); and

WHEREAS, the City hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

WHEREAS, the Council has found and determined and hereby declares:

A. It is necessary and for the best interests of the City to effect the Project and to issue the Bonds; and

B. Each of the limitations and other conditions to the issuance of the Bonds in the Charter, the Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met.

WHEREAS, there are on file with the City Clerk: (i) the proposed form of the Trust Indenture; (ii) the proposed form of the Purchase Contract (the "Purchase Contract") between the City and the Purchaser; (iii) the proposed form of the Continuing Disclosure Certificate (the "Disclosure Certificate"); and (iv) the proposed form of the Preliminary Official Statement (the "Preliminary Official Statement") to be used by the Purchaser in connection with the offering of the Bonds.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:

Section 1. This Ordinance shall be known as, and may be cited by, the short title “Special Improvement District No. 813 Bond Ordinance” (the “Ordinance”).

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the Project, and the issuance of the Bonds to provide funds to pay the costs of the Project be, and the same hereby are, ratified, approved and confirmed.

Section 3. To provide the funds for the Project, the City hereby authorizes the issuance of its local improvement bonds under the Act, and the Supplemental Bond Act, to be designated the “City of Las Vegas, Nevada Special Improvement District No. 813 (Summerlin Village 26) Local Improvement Bonds, Series 2017.” The Bonds shall be in an aggregate principal amount, mature in the years and amounts, bear interest, and be subject to redemption as provided in a Certificate of the Chief Financial Officer executed and delivered prior to the delivery of the Bonds; provided, however, the Certificate of the Chief Financial Officer shall not authorize: (i) an aggregate principal amount of Bonds in excess of \$11,400,000; (ii) an effective interest rate on the Bonds that exceeds by more than three percent (3%) the “Index of Twenty Bonds” which was most recently published in The Bond Buyer prior to the time the Purchase Contract is executed; or (iii) a prepayment premium on the Bonds (relating to optional or mandatory redemptions) in excess of 3% of the principal amount of the Bonds to be redeemed. The Bonds shall be dated, shall be substantially in the forms and in the denominations and shall have the terms and provisions (including, without limitation, provisions relating to their registration, authentication and redemption, and provisions related to a reserve fund for the Bonds (the “Reserve Fund”) and the application of the monies therein including, where stated, for the payment of any credits owed to property owners who have prepaid assessments) provided for in the Trust Indenture. The Bonds are payable solely from the proceeds of the assessments against a portion of the specially benefitted lots, tracts and parcels of land in the District and from the other sources set forth in the Indenture. The provisions of NRS 271.428, 271.495 and 271.500 do not apply to the Bonds. The Mayor, the Chief Financial Officer of the City or the City Manager is each hereby authorized to sell the Bonds to the Purchaser at a price equal to the

principal amount of the Bonds, plus accrued interest on the Bonds from their date to the date of their delivery, plus a premium or less a discount not exceeding 9% of the principal amount thereof.

Section 4. The forms, terms and provisions of the Trust Indenture, the Disclosure Certificate, and the Purchase Contract be and they hereby are approved in substantially the forms on file with the City Clerk, with only such changes therein as are not inconsistent herewith and are approved by the officers of the City executing the same. The Mayor is hereby authorized to execute and deliver the Indenture and the Disclosure Certificate and the execution and delivery of the same shall constitute conclusive evidence of the City's approval thereof in accordance with the terms hereof. The Chief Financial Officer is hereby authorized to execute and deliver the Purchase Contract and the execution and delivery of the same shall constitute conclusive evidence of the City's approval thereof in accordance with the terms hereof. The City Clerk is hereby authorized and directed to affix the City seal to and to attest any such documents.

Section 5. The forms, terms and provisions of the Bonds, in the forms contained in the Trust Indenture, are hereby approved with only such changes therein, if any, as are not inconsistent herewith. The Mayor is hereby authorized and directed to execute the Bonds, the City Treasurer is hereby authorized and directed to countersign the Bonds and the City Clerk is hereby authorized and directed to affix the City seal to and to attest the Bonds. Such signatures of the Mayor, the City Treasurer and the City Clerk and the seal of the City shall be by facsimile or manually affixed. In case any official whose signature should appear on any Bond shall cease to be such official before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

Section 6. The City hereby authorizes, ratifies and confirms the use of the Preliminary Official Statement by the Purchaser in connection with the offering of the Bonds and hereby approves the distribution by the Purchaser of a final Official Statement in connection with the offering of the Bonds, which final Official Statement shall be substantially in the form of the Preliminary Official Statement with only such changes as shall be approved in writing by the Chief Financial Officer.

Section 7. The officers of the City shall take all action in conformity with the Act necessary or reasonably required to effectuate the issuance of the Bonds and shall take all action necessary or desirable in conformity with the Act to acquire and improve the Project and to carry out, give effect to and consummate the transactions contemplated by this Ordinance, the Trust Indenture, the Disclosure Certificate, and the Purchase Contract, including without limitation the execution and delivery of any closing documents to be delivered in connection with the sale and delivery of the Bonds.

Section 8. This Ordinance is adopted by virtue of the Act and the Supplemental Bond Act and pursuant to their provisions; and the City has ascertained and hereby determines that each and every matter and thing as to which provision is made herein is necessary in order to carry out and to effectuate the purposes of the City in accordance with the Act and the Supplemental Bond Act.

Section 9. It is necessary and for the best interests of the City and the inhabitants thereof that the City effect the Project and defray the cost thereof by issuing the Bonds therefor; and it is hereby so determined and declared.

Section 10. All actions, proceedings, matters and things heretofore taken, had and done by the Council and the officers of the City (not inconsistent with the provisions of this Ordinance), concerning the District, including but not limited to the performing of all prerequisites to the creation of the District, the implementation of the Project, the determination of the specially benefitted property therein, the levy of assessments and the issuance and sale of the Bonds for that purpose, be, and the same hereby are, ratified, approved and confirmed.

Section 11. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

Section 12. When first proposed, this Ordinance must be read to the Council by title and referred to a committee for consideration, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper, printed, published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

BILL NO. _____
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26) LOCAL IMPROVEMENT BONDS, SERIES 2017; APPROVING THE FORM OF CERTAIN DOCUMENTS WITH RESPECT TO SUCH BONDS; RATIFYING ACTION TAKEN BY CITY OFFICERS TOWARD THE ISSUANCE OF SUCH BONDS; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on June 7, 2017, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on the June 21, 2017.

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

Section 13. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

ORDINANCE NO.
(of Las Vegas, Nevada)

AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 813 (SUMMERLIN VILLAGE 26); ORDERING A STREET PROJECT, STORM SEWER PROJECT, SANITARY SEWER PROJECT, DRAINAGE PROJECT, AND WATER PROJECT, WITHIN THE CITY OF LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

PUBLIC NOTICE IS HEREBY GIVEN that such Ordinance was proposed on June 7, 2017, and was passed at the meeting held on June 21, 2017, by the following vote of the City Council:

Those Voting Aye:	_____
Those Voting Nay:	_____
Those Absent:	_____

This Ordinance shall be in full force and effect from and after the 25th day of June, 2017, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this June 21, 2017.

/s/ CAROLYN G. GOODMAN
Mayor

Attest:

/s/ LUANN D. HOLMES, MMC
City Clerk

(End of Form of Publication of Adoption of Ordinance)

Section 14. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

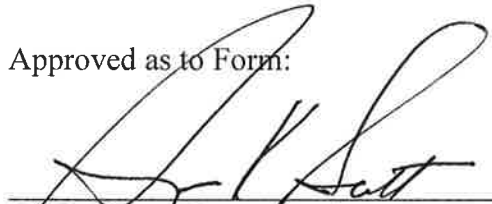
CAROLYN G. GOODMAN, Mayor

(SEAL)

Attest:

LUANN D. HOLMES, MMC,
City Clerk

Approved as to Form:



BRYAN K. SCOTT, Assistant City Attorney

This Ordinance shall be in full force and effect from and after June 25, 2017, i.e., the date after the publication of such ordinance by its title.

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

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on June 7, 2017 and finally adopted and approved on June 21, 2017.

2. The following members of the Council were present at the June 7, 2017 Council meeting:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

Those Absent:

3. The foregoing Ordinance was first proposed and read by title to the City Council on June 7, 2017, and referred to a committee composed of _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on June 21, 2017, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the June 21, 2017 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor:	Carolyn G. Goodman
Council members:	Steven D. Ross
	Lois Tarkanian
	Ricki Y. Barlow
	Stavros S. Anthony
	Bob Coffin
	Bob Beers

(b) Prior to 9:00 a.m. at least 3 working days before such meetings, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

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 7, 2017 is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on June 21, 2017 is attached to this certificate as Exhibit B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

IN WITNESS WHEREOF, I have hereunto set my hand on this June 21, 2017.

LUANN D. HOLMES, MMC, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of June 7, 2017 Meeting)

EXHIBIT B

(Attach Copy of Notice of June 21, 2017 Meeting)

EXHIBIT C

**(Attach Affidavit of Publication of Notice of Deposit of
the Ordinance)**

EXHIBIT D

(Attach Affidavit of Publication of Adoption of Ordinance)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2017-26 - For possible action - Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Pursuant to LVMC 10.02.010, any offense that constitutes a misdemeanor under State law is also a misdemeanor under City law if it is committed within the corporate boundaries of the City. This permits prosecution of such an offense in Municipal Court. In order to assure that LVMC 10.02.010 is interpreted to incorporate State-law changes made during the 79th Session of the Nevada Legislature, LVMC 10.02.010 should be readopted. This bill will accomplish that objective.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2017-26

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BILL NO. 2017-26

ORDINANCE NO. _____

AN ORDINANCE TO READOPT THE MUNICIPAL CODE PROVISION MAKING STATE-LAW MISDEMEANORS CITY MISDEMEANORS IF COMMITTED WITHIN THE CITY.

Proposed by: Bradford R. Jerbic, City Attorney	Summary: Readopts LVMC 10.02.010 to make State misdemeanors City misdemeanors if committed within the City.
--	---

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the Charter of the City of Las Vegas declares that any offense made a misdemeanor by the laws of the State of Nevada shall also be a misdemeanor in the City of Las Vegas whenever such offense is committed within the boundaries of the City; and

WHEREAS, the City Council has reaffirmed that declaration by means of the adoption of LVMC 10.02.010; and

WHEREAS, a number of criminal laws were enacted or amended by the Nevada Legislature during its 79th Session, some of which became effective upon passage and approval, and others of which become effective upon October 1, 2017, or upon some other date specified within those laws; and

WHEREAS, the City Council desires by this Ordinance to readopt LVMC 10.02.010 to include within its purview, to the extent affirmative action to do so is necessary, all the State misdemeanor laws which have been enacted by the Nevada State Legislature.

NOW, THEREFORE, BASED UPON THE FOREGOING, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

...
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SECTION 1: Title 10, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby readopted.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2017.

APPROVED:

By CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-22-17
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____
2 day of _____, 2017, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2017, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ Consent ☒ Discussion**SUBJECT:**

Bill No. 2017-27 - For possible action - Adopts that certain development agreement entitled "Development Agreement For The Two Fifty," entered into between the City and 180 Land Co, LLC, et al., pertaining to property generally located at the southwest corner of Alta Drive and Rampart Boulevard. Sponsored by: Councilman Bob Beers

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

This bill will adopt that certain development agreement entitled "Development Agreement For The Two Fifty," entered into between the City and 180 Land Co, LLC, et al. The development agreement pertains to property generally located at the southwest corner of Alta Drive and Rampart Boulevard. The development agreement is proposed to be approved by the City Council on June 21, 2017. This ordinance formalizes the adoption in accordance with State law.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2017-27
2. Backup Submitted from the June 7, 2017 City Council Meeting

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BILL NO. 2017-27

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THAT CERTAIN DEVELOPMENT AGREEMENT ENTITLED "DEVELOPMENT AGREEMENT FOR THE TWO FIFTY," ENTERED INTO BETWEEN THE CITY AND 180 LAND CO, LLC, ET AL., AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Beers

Summary: Adopts that certain development agreement entitled "Development Agreement For The Two Fifty," entered into between the City and 180 Land Co, LLC, et al., pertaining to property generally located at the southwest corner of Alta Drive and Rampart Boulevard

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: That certain development agreement entitled "Development Agreement For The Two Fifty," entered into between the City and 180 Land Co, LLC, et al., which was approved by the City Council on June 21, 2017, and which is on file with the City Clerk's Office, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: This Ordinance, as well as the development agreement adopted by Section 1, shall be recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

1 SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause
2 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
3 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
4 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
5 Council of the City of Las Vegas hereby declares that it would have passed each section,
6 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
7 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
8 declared unconstitutional, invalid or ineffective.

9 SECTION 4: All ordinances or parts of ordinances or sections, subsections,
10 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this ____ day of _____,
13 2017.

14 APPROVED:

15 By _____
16 CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 _____
19 LUANN D. HOLMES, MMC
20 City Clerk

21 APPROVED AS TO FORM:

22 Val Steed 5-30-17
23 Val Steed, Date
24 Deputy City Attorney
25

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2017, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____;
5 thereafter the said committee reported favorably on said ordinance on the ____ day of
6 _____, 2017, which was a _____ meeting of said Council;
7 that at said _____ meeting, the proposed ordinance was read by title to the
8 City Council as first introduced and adopted by the following vote:
9 VOTING "AYE": _____
10 VOTING "NAY": _____
11 ABSENT: _____
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APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

LUANN D. HOLMES, MMC
City Clerk

**DEVELOPMENT AGREEMENT
FOR
THE TWO FIFTY**

PRJ-70542
06/06/17

DIR-70539 - REVISED

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PRJ-70542
06/06/17

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EXHIBITS

- A. Property Legal Description
- B. Master Land Use Plan with Development Areas
- C. The Two Fifty Design Guidelines, Development Standards and Permitted Uses
- D. Development Phasing
- E. UDC as of the Effective Date

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 2017 by and between the **CITY OF LAS VEGAS**, a municipal corporation of the State of Nevada ("City") and **180 LAND CO LLC**, a Nevada limited liability company ("Master Developer"). The City and Master Developer are sometimes individually referred to as a "Party" and collectively as the "Parties".

RECITALS

A. City has authority, pursuant to NRS Chapter 278 and Title 19 of the Code, to enter into development agreements such as this Agreement, with persons having a legal or equitable interest in real property to establish long-range plans for the development of such property.

B. The City has taken no actions to cause, nor has ever intended to cause NRS 278A to apply to the Property as defined herein. As such, this Agreement is not subject to NRS 278A.

C. Seventy Acres LLC, a Nevada limited liability company ("Seventy Acres"), Fore Stars, LTD., a Nevada limited liability company ("Fore Stars") and 180 Land Co LLC, a Nevada limited liability company ("180 Land") are the owners (Seventy Acres, Fore Stars and 180 Land each individually an "Owner" and collectively the "Owners") of the Property described on **Exhibit "A"** attached hereto (collectively the "Property").

D. The Property is the land on which the golf course, known as the Badlands, was previously operated.

E. The Parties have concluded, each through their separate and independent research, that the golf course industry is struggling resulting in significant numbers of golf course closures across the country.

F. The golf course located on the Property has closed and the land will be repurposed in a manner that is complementary and compatible to the adjacent uses with a combination of residential lots and luxury multifamily development, including the option for assisted living units, a non-gaming boutique hotel, and, ancillary commercial uses.

G. The Property contains four (4) development areas, totaling two hundred fifty and ninety-two hundredths (250.92) acres (hereinafter referred to as "The Two Fifty"), as shown on **Exhibit "B"**

attached hereto.

H. A General Plan Amendment (GPA-62387), Zone Change (ZON-62392) and Site Development Plan Review (SDR-62393) were approved for Development Area 1 (covering 17.49 acres of the Property) for four hundred thirty-five (435) for sale, luxury multifamily units. Because Development Area 1 has already been entitled, neither its acreage, nor its units, are included in the density calculations for the balance of the Property provided for herein. However, the total units approved on the Property will be factored into the respective portions of the Master Studies.

I. The Parties acknowledge and agree that the Property is zoned R-PD7 which allows for the development of the densities provided for herein.

J. The Parties desire to enter into a Development Agreement for the development of the Property in phases and in conformance with the requirements of NRS Chapter 278, and as otherwise permitted by law.

K. Seventy Acres and Fore Stars irrevocably appoint Master Developer to act for and on behalf of Seventy Acres and Fore Stars, as their agent, to do all things necessary to fulfill Seventy Acres, Fore Stars and Master Developer's obligations under this Agreement.

L. The Property shall be developed as the market demands, in accordance with this Agreement, and at the sole discretion of Master Developer.

M. The Parties acknowledge that this Agreement will (i) promote the health, safety and general welfare of City and its inhabitants, (ii) minimize uncertainty in the planning for and development of the Property and minimize uncertainty for the surrounding area, (iii) ensure attainment of the maximum efficient utilization of resources within City at the least economic cost to its citizens, and (iv) otherwise achieve the goals and purposes for which the laws governing development agreements were enacted.

N. The Parties further acknowledge that this Agreement will provide the owners of adjacent properties with the assurance that the development of the Property will be compatible and complimentary to the existing adjacent developments in accordance with the Design Guidelines, Development Standards and Permitted Uses ("Design Guidelines") attached hereto as **Exhibit "C"**.

O. As a result of the development of the Property, City will receive needed jobs, sales and other tax revenues and significant increases to its real property tax base. City will additionally receive a

greater degree of certainty with respect to the phasing, timing and orderly development of the Property by a developer with significant experience in the development process.

P. Master Developer desires to obtain reasonable assurances that it may develop the Community in accordance with the terms, conditions and intent of this Agreement. Master Developer's decision to enter into this Agreement and commence development of the Community is based on expectations of proceeding, and the right to proceed, with the Community in accordance with this Agreement and the Applicable Rules.

Q. Master Developer further acknowledges that this Agreement was made a part of the record at the time of its approval by the City Council and that Master Developer agrees without protest to the requirements, limitations, and conditions imposed by this Agreement.

R. The City Council, having determined that this Agreement is in conformance with all substantive and procedural requirements for approval of this Agreement, and after giving notice as required by the relevant law, and after introducing this Agreement by ordinance at a public hearing on _____, 2017, and after a subsequent public hearing to consider the substance of this Agreement on _____, 2017, the City Council found this Agreement to be in the public interest and lawful in all respects, and approved the execution of this Agreement by the Mayor of the City of Las Vegas.

NOW, THEREFORE, in consideration of the foregoing recitals, the promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

SECTION ONE

DEFINITIONS

For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following terms shall have the following meanings:

"Affiliate" means (a) any other entity directly or indirectly controlling or controlled by or under direct or indirect common control with another entity and (b) any other entity that beneficially owns at least fifty percent (50%) of the voting common stock or partnership interest or limited liability company interest,

as applicable, of another entity. For the purposes of this definition, "control" when used with respect to any entity, means the power to direct the management and policies of such entity, directly or indirectly, whether through the ownership of voting securities, partnership interests, by contract or otherwise; and the terms "controlling" or "controlled" have meanings correlative to the foregoing.

"Agreement" means this development agreement and at any given time includes all addenda and exhibits incorporated by reference and all amendments which hereafter are duly entered into in accordance with the terms of this Agreement.

"Alcohol Related Uses" means a Beer/Wine/Cooler On-Sale use, Restaurant with Service Bar use, Restaurant with Alcohol use and Lounge Bar as defined by the UDC.

"Applicable Rules" as they relate to this Agreement and the development of the Community include the following:

- (a) The provision of the Code and all other uniformly-applied City rules, policies, regulations, ordinances, laws, general or specific, which were in effect on the Effective Date; and
- (b) This Agreement and all attachments hereto.

The term "Applicable Rules" does not include any of (i), (ii), or (iii) below, but the Parties understand that they, and the Property, may be subject thereto:

- (i) Any ordinances, laws, policies, regulations or procedures adopted by a governmental entity other than City;
- (ii) Any fee or monetary payment prescribed by City ordinance which is uniformly applied to all development and construction subject to the City's jurisdiction; or
- (iii) Any applicable state or federal law or regulation.

"Authorized Designee" means any person or entity authorized in writing by Master Developer to make an application to the City on the Property.

"Building Codes" means the Building Codes and fire codes, to which the Community is subject to, in effect at the time of issuance of the permit for the particular development activity with respect to the development of the Community.

"CCRFCD" means the Clark County Regional Flood Control District.

"City" means the City of Las Vegas, together with its successors and assigns.

"City Council" means the City of Las Vegas City Council.

"City Infrastructure Improvement Standards" means in their most recent editions and with the most recent amendments adopted by the City, the Standard Drawings for Public Works Construction Off-Property Improvements, Clark County, Nevada; Uniform Standard Specifications for Public Works Construction Off-Property Improvements, Clark County, Nevada; Uniform Regulations for the Control of Drainage and Hydrologic Criteria and Drainage Design Manual, Clark County Regional Flood Control District; Design and Construction Standards for Wastewater Collection Systems of Southern Nevada; and any other engineering, development or design standards and specifications adopted by the City Council. The term includes standards for public improvements and standards for private improvements required under the UDC.

"City Manager" means the person holding the position of City Manager at any time or its designee.

"Code" means the Las Vegas Municipal Code, including all ordinances, rules, regulations, standards, criteria, manuals and other references adopted therein.

"Community" means the Property and any and all improvements constructed thereupon.

"Design Guidelines" means the document prepared by Master Developer entitled Design Guidelines, Development Standards and Permitted Uses, attached hereto as **Exhibit "C"**, and reviewed and approved by City.

"Designated Builder" means any legal entity other than Owner(s) that owns any parcel of real property within the Community, whether prior to or after the Effective Date, provided that such entity is designated as such by Master Developer to City Manager in writing. For purposes of the Applicable Rules, the term "Designated Builder" is intended to differentiate between the Master Developer, Owner(s) and their Affiliates in their capacity as developer and land owner and any other entity that engages in the development of a structure or other improvements on a Development Parcel(s) within the Community. A Designated Builder is not a Party to this Agreement and may not enforce any provisions herein, but upon execution and recordation of this Agreement, a Designated Builder may rely on and be subject to the land use entitlements provided for herein. Designated Builder will work closely with Master Developer to

ensure the Community and/or the Development Parcel(s) owned by Designated Builder is/are developed in accordance with this Agreement.

"Development Area(s)" means the four (4) separate development areas of the Property as shown on the Master Land Use Plan attached hereto as **Exhibit "B"**.

"Development Parcel(s)" means legally subdivided parcel(s) of land within the Community that are intended to be developed or further subdivided.

"Director of Planning" means the Director of the City's Department of Planning or its designee.

"Director of Public Works" means the Director of the City's Department of Public Works or its designee.

"Effective Date" means the date, on or after the adoption by City of an ordinance approving the execution of this Agreement, and the subsequent execution of this Agreement by the Parties, on which this Agreement is recorded in the Office of the County Recorder of Clark County. Each party agrees to cooperate as requested by the other party to cause the recordation of this Agreement without delay.

"Grading Plan, Master Rough" means a plan or plans prepared by a Nevada-licensed professional engineer, also referred to as a Mass Grading Plan, to:

- (a) Specify areas where the Master Developer intends to perform rough grading operations;
- (b) Identify approximate future elevations and grades of roadways, Development Parcels, and drainage areas; and
- (c) Prior to issuance of a permit for a Mass Grading Plan:
 - (i) the Director of Public Works may require an update to the Master Drainage Study to address the impacts of phasing or diverted flows if the Master Drainage Study does not contain sufficient detail for that permit; and,
 - (ii) Master Developer shall submit the location(s) and height(s) of stockpiles in conjunction with its respective grading permit submittal(s)/application(s).
- (d) The Master Rough Grading Plan shall be reviewed by the Director of Public

Works for conformance to the grading and drainage aspects of the approved Master Drainage Study.

"Grading Plan", which accompanies the Technical Drainage Study, means a detailed grading plan for a development site within the Community, created pursuant to the UDC, to further define the grading within Development Parcels, as identified in the Master Drainage Study, to a level of detail sufficient to support construction drawings, in accordance with the CCRFCD Hydrologic Criteria and Drainage Design Manual.

"HOA or Similar Entity" means any unit owners' association organized pursuant to NRS 116.3101, that is comprised of owners of residential dwelling units, lots or parcels in the Community, or portions thereof, created and governed by a declaration (as defined by NRS 116.037), formed for the purpose of managing, maintaining and repairing all common areas transferred to it or managed by it for such purposes.

"Investment Firm" means an entity whose main business is holding securities of other companies, financial instruments or property purely for investment purposes, and includes by way of example, and not limitation, Venture Capital Firms, Hedge Funds, and Real Estate Investment Trusts.

"LVVWD" means the Las Vegas Valley Water District.

"Master Developer" means 180 Land Co LLC, a Nevada limited liability company, and its successors and assigns as permitted by the terms of this Agreement.

"Master Drainage Study" means the comprehensive hydrologic and hydraulic study, including required updates only if deemed necessary by the City, to be approved by the Director of Public Works prior to the issuance of any permits, excepting grub and clear permits outside of FEMA designated flood areas and/or demolition permits for the Property, or the recordation of any map.

"Master Land Use Plan" means the Master Land Use Plan for the Community, which is **Exhibit "B"**.

"Master Sanitary Sewer Study" means the comprehensive sanitary sewer study to be approved by the Director of Public Works prior to the issuance of any permits, excepting grub and clear permits outside of FEMA designated flood areas and/or demolition permits for the Property, or the recordation of any map, including updates only if deemed necessary by the City where changes from those reflected in the approved Master Sanitary Sewer Study's approved densities or layout of the development are

proposed that would impact downstream pipeline capacities and that may result in additional required Off-Property sewer improvements.

"Master Studies" means the Master Traffic Study, Master Sanitary Sewer Study and the Master Drainage Study.

"Master Traffic Study" means the comprehensive traffic study, including updates only if deemed necessary by the City, with respect to this Property to be approved by the Director of Public Works prior to the issuance of any permits, excepting grub and clear permits outside of FEMA designated flood areas and/or demolition permits, or the recordation of any map.

"Master Utility Improvements" means those water, sanitary sewer, storm water drainage, power, street light and natural gas improvements within and directly adjacent to the Property necessary to serve the proposed development of the Community other than those utility improvements to be located within individual Development Parcels. All public sewer, streetlights, traffic signals, associated infrastructures and public drainage located outside of public right-of-way must be within public easements in conformance with City of Las Vegas Code Title 20, or pursuant to an approved variance application if necessary to allow public easements within private property and/or private drives of the HOA or Similar Entity or of the Development Parcels.

"Master Utility Plan" means a conceptual depiction of all existing and proposed utility alignments, easements or otherwise, within and directly adjacent to the Property necessary to serve the proposed development of the Community, other than those utility improvements to be located within individual Development Parcels. The Master Developer shall align all proposed utilities within proposed public rights-of-way and/or within public utility easements when reasonable and, if applicable, will dedicate such rights-of-way to the City before granting utility easements to specific utility companies, and Master Developer shall separately require any Authorized Designee to disclose the existence of such facilities located on (or in the vicinity of) any affected residential lots, and easements necessary for existing and future LVVWD water transmission mains.

"NRS" means the Nevada Revised Statutes, as amended from time to time.

"Off-Property" means outside of the physical boundaries of the Property.

"Off-Property Improvements," as this definition relates to the Master Studies, means infrastructure

improvements located outside the Property boundaries required by the Master Studies or other governmental entities to be completed by the Master Developer due to the development of the Community.

"On-Property" means within the physical boundaries of the Property.

"On-Property Improvements," as this definition relates to the Master Studies, means infrastructure improvements located within the Property boundaries required by the Master Studies or other governmental entities, to be completed by the Master Developer due to the development of the Community.

"Owner" has the meaning as defined in Recital C.

"Party," when used in the singular form, means Master Developer, an Owner (as defined in Recital C) or City and in the plural form of "Parties" means Master Developer, Owners and City.

"Planning Commission" means the City of Las Vegas Planning Commission.

"Planning Department" means the Department of Planning of the City of Las Vegas.

"Property" means that certain two hundred fifty and ninety-two hundredths (250.92) gross acres of real property which is the subject of this Agreement. The legal description of the Property is set forth in **Exhibit "A"**.

"Technical Drainage Study(s)" means comprehensive hydrologic study(s) prepared under the direction of and stamped by a Nevada-licensed professional engineer that must comply with the CCRFCD drainage manual. Technical Drainage Study(s) shall be approved by the Director of Public Works.

"Term" means the term of this Agreement.

The "Two Fifty Drive" means the roadway identified as the Two Fifty Drive extension, as may also be referred to as the Clubhouse Drive Extension, and as is further addressed in Section 3.01(f)(vii) herein, together with associated curb, gutter, sidewalk, landscaping, underground utility improvements including fiber optic interconnect, streetlights, traffic control signs and signals other than those for which a fee was paid pursuant to Ordinance 5644.

"UDC" means the Unified Development Code as of the Effective Date of this Agreement attached hereto as **Exhibit "E"**.

"Water Feature" means one or more items from a range of fountains, ponds (including irrigation

ponds), cascades, waterfalls, and streams used for aesthetic value, wildlife and irrigation purposes from effluent and/or privately owned ground water.

SECTION TWO

APPLICABLE RULES AND CONFLICTING LAWS

2.01. Reliance on the Applicable Rules. City and Master Developer agree that Master Developer will be permitted to carry out and complete the development of the Community in accordance with the terms of this Agreement and the Applicable Rules. The terms of this Agreement shall supersede any conflicting provision of the City Code except as provided in Section 2.02 below.

2.02. Application of Subsequently Enacted Rules by the City. The City shall not amend, alter or change any Applicable Rule as applied to the development of the Community, or apply a new fee, rule regulation, resolution, policy or ordinance to the development of the Community, except as follows:

(a) The development of the Community shall be subject to the Building Codes and fire codes in effect at the time of issuance of the permit for the particular development activity.

(b) The application of a new uniformly-applied rule, regulation, resolution, policy or ordinance to the development of the Community is permitted, provided that such action is necessary to protect the health, safety and welfare of City residents.

(c) Nothing in this Agreement shall preclude the application to the Community of new or changed rules, regulations, policies, resolutions or ordinances specifically mandated and required by changes in state or federal laws or regulations. In such event, the provisions of Section 2.03 through 2.05 of this Agreement are applicable.

(d) Should the City adopt or amend rules, regulations, policies, resolutions or ordinances and apply such rules to the development of the Community, other than pursuant to one of the above Sections 2.02(a), 2.02(b) or 2.02(c), the Master Developer shall have the option, in its sole discretion, of accepting such new or amended rules by giving written notice of such acceptance to City. City and the Master Developer shall subsequently execute an amendment to this Agreement evidencing the Master Developer's acceptance of the new or amended ordinance, rule, regulation or policy within a

reasonable time.

2.03. Conflicting Federal or State Rules. In the event that any federal or state laws or regulations prevent or preclude compliance by City or Master Developer with one or more provisions of this Agreement or require changes to any approval given by City, this Agreement shall remain in full force and effect as to those provisions not affected, and:

(a) Notice of Conflict. Either Party, upon learning of any such matter, will provide the other Party with written notice thereof and provide a copy of any such law, rule, regulation or policy together with a statement of how any such matter conflicts with the provisions of this Agreement; and

(b) Modification Conferences. The Parties shall, within thirty (30) calendar days of the notice referred to in the preceding subsection, meet and confer in good faith and attempt to modify this Agreement to bring it into compliance with any such federal or state law, rule, regulation or policy.

2.04. City Council Hearings. In the event either Party believes that an amendment to this Agreement is necessary due to the effect of any federal or state law, rule, regulation or policy, the proposed amendment shall be scheduled for hearing before the City Council. The City Council shall determine the exact nature of the amendment necessitated by such federal or state law or regulation. Master Developer shall have the right to offer oral and written testimony at the hearing. Any amendment ordered by the City Council pursuant to a hearing contemplated by this Section, if appealed, is subject to judicial review. The Parties agree that any matter submitted for judicial review shall be subject to expedited review in accordance with Rule 2.15 of the Eighth Judicial District Court of the State of Nevada.

2.05. City Cooperation.

(a) City shall cooperate with Master Developer in securing any City permits, licenses or other authorizations that may be required as a result of any amendment resulting from actions initiated under Section 2.04.

(b) As required by the Applicable Rules, Master Developer shall be responsible to pay all applicable fees in connection with securing of such permits, licenses or other authorizations.

(c) Permits issued to Master Developer shall not expire so long as work progresses as determined by the City's Director of Building and Safety.

SECTION THREE

PLANNING AND DEVELOPMENT OF THE COMMUNITY

3.01. Permitted Uses, Density, and Height of Structures. Pursuant to NRS Chapter 278, this Agreement sets forth the permitted uses, density and maximum height of structures to be constructed in the Community for each Development Area within the Community.

(a) Maximum Residential Units Permitted. The maximum number of residential dwelling units allowed within the Community, as shown on **Exhibit B**, is two thousand one hundred sixty-nine (2,169) units, with four hundred thirty-five (435) for sale, multifamily residential units in Development Area 1, one thousand six hundred sixty-nine (1,669) multifamily residential units, including the option for assisted living units, in Development Area 2 and Development Area 3 combined, and a maximum of sixty-five (65) residential lots in Development Area 4.

(b) Permitted Uses and Types.

(i) The Community is planned for a mix of single family residential homes and multi-family residential homes including mid-rise tower residential homes.

(ii) Assisted living facility(ies), as defined by Code, may be developed within Development Area 2 or Development Area 3.

(iii) A non-gaming boutique hotel with up to one hundred thirty (130) rooms, with supporting facilities and associated ancillary uses, shall be allowed in Development Area 2 or Development Area 3. Prior to construction, a Site Development Plan Review shall be submitted and approved.

(iv) To promote a pedestrian friendly environment, in Development Areas 2 and 3, additional commercial uses that are ancillary to multifamily residential uses shall be permitted. Ancillary commercial uses shall be similar to, but not limited to, general retail uses and restaurant uses. The number and size of ancillary commercial uses shall be evaluated at the time of submittal for a Site Development Plan Review. Ancillary commercial uses, associated with the multifamily uses, shall be limited to Development Areas 2 and 3, and shall be limited to a total of fifteen thousand (15,000) square feet across Development Areas 2 and 3 with no single use greater than four thousand (4,000) square

feet. It is the intent that the ancillary commercial will largely cater to the residences of Development Areas 1, 2 and 3 to be consistent with an environment that helps promote a walkable community. Any reference to ancillary commercial does not include the leasing, sales, management, and maintenance offices and facilities related to the multifamily.

(v) Water Features shall be allowed in the Community, even if City enacts a future ordinance or law contrary to this Agreement.

(vi) Uses allowed within the Community are listed in the Design Guidelines attached as **Exhibit "C "**.

(vii) The Parties acknowledge that watering the Property may be continued or discontinued, on any portion or on all of the Property, at and for any period of time, or permanently, at the discretion of the Master Developer. If discontinued, Master Developer shall comply with all City Code requirements relating to the maintenance of the Property and comply with Clark County Health District regulations and requirements relating to the maintenance of the Property, which may necessitate Master Developer's watering and rough mowing the Property, or at Master Developer's election to apply for and acquire a clear and grub permit and/or demolition permits for the Property outside of FEMA designated flood areas (and within FEMA designated flood areas if approved by FEMA), subject to all City laws and regulations. Notwithstanding, Master Developer will use best efforts to continue to water the Property until such time as construction activity is commenced in a given area.

(viii) Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the Community are best promoted and protected by requiring that a Special Use Permit be obtained for certain Alcohol Related Uses as outlined in the Design Guidelines attached as **Exhibit "C"**. If a Special Use Permit is required, it shall be in accordance with the requirements of this Section and Las Vegas Municipal Code Section 19.16.110. The Parties agree that Master Developer may apply for Alcohol Related Uses and Alcohol Related Uses shall have no specified spacing requirements between similar and protected uses.

(c) Density. Master Developer shall have the right to determine the number of residential units to be developed on any Development Parcel up to the maximum density permitted in each Development Area. Notwithstanding the foregoing, the maximum density permitted in Development

Area 1 shall be a maximum of four hundred thirty-five (435) for sale, multifamily residential units; Development Areas 2 and 3 combined shall be a maximum of one thousand six hundred sixty-nine (1,669) multifamily residential units, including the option for assisted living units; and Development Area 4 shall be a maximum of sixty-five (65) residential lots. In Development Area 4, residential lots will be a minimum one-half (1/2) gross acres in Section A shown on **Exhibit B**. All other lots within Development Area 4 will be a minimum of two (2) gross acres.

(d) Maximum Height and Setbacks. The maximum height and setbacks shall be governed by the Code except as otherwise provided for in the Design Guidelines attached as **Exhibit "C"**.

(e) Residential Mid-Rise Towers in Development Area 2. Master Developer shall have the right to develop two (2) residential mid-rise towers within Development Area 2. The mid-rise tower locations shall be placed so as to help minimize the impact on the view corridors to the prominent portions of the Spring Mountain Range from the existing residences in One Queensridge Place. As provided in the Design Guidelines attached as **Exhibit "C"**, each of the two (2) mid-rise towers may be up to one hundred fifty (150) feet in height.

(f) Phasing.

(i) The Community shall be developed as outlined in the Development Phasing **Exhibit "D"**.

(ii) The Development Areas' numerical designations are not intended and should not be construed to be the numerical sequence or phase of development within the Community.

(iii) Development Area 4's Sections A-G, as shown on **Exhibit B**, are not intended and should not be construed to be the alphabetical sequence or phase of development within Development Area 4.

(iv) The Property shall be developed as the market demands, in accordance with this Agreement, and at the sole discretion of Master Developer.

(v) Portions of the Property are located within the Federal Emergency Management Agency ("FEMA") Flood Zone.

(1) Following receipt from FEMA of a Conditional Letter of Map

Revision ("CLOMR") and receipt of necessary City approvals and permits, Master Developer may begin construction in Development Areas 1, 2 and 3, including but not limited to, the mass grading, the drainage improvements, including but not limited to the installation of the open drainage channels and/or box culverts, and the installation of utilities. Notwithstanding, Master Developer may begin and complete any construction prior to receipt of the CLOMR in areas outside of the FEMA Flood Zone, following receipt of the necessary permits and approvals from City.

(2) In Development Area 4 in areas outside of the FEMA Flood Zone, Master Developer may begin and complete any construction, as the market demands, and at the sole discretion of the Master Developer, following receipt of necessary City approvals and permits.

(3) In Development Area 4 in areas within the FEMA Flood Zone, construction, including but not limited to, mass grading, drainage improvements, including but not limited to the installation of the open drainage channels and/or box culverts, and the sewer and water mains may commence only after receipt of the CLOMR related to these areas and receipt of necessary City approvals and permits.

(vi) Master Developer and City agree that prior to the approval for construction of the seventeen hundredth (1,700th) residential unit, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the seventeen hundredth (1,700th) residential unit, Master Developer shall have substantially completed the drainage infrastructure required in Development Area 4. For clarification, the completion of the aforementioned drainage infrastructure required in Development Area 4 is not a prerequisite to approval for construction, by way of building permit issuance, of the first sixteen hundred ninety-nine (1,699) residential units. For purposes of this subsection, substantial completion of the drainage infrastructure shall mean the installation of the open drainage channels and/or box culverts required pursuant to the City-approved Master Drainage

Study or Technical Drainage Study for Development Area 4.

(vii) The Two Fifty Drive extension, being a new roadway between Development Areas 2 and 3 that will connect Alta Drive and South Rampart Boulevard, shall be completed in accordance with the approved Master Traffic Study and prior to the approval for construction of the fifteen hundredth (1,500th) residential unit, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the fourteen hundred and ninety-ninth (1,499th) residential unit. For clarification, the completion of the Two Fifty Drive extension is not a prerequisite to approval for construction, by way of building permit issuance, of the first fourteen hundred and ninety-ninth (1,499th) residential units.

(viii) The Landscape, Parks and Recreation Areas shall be constructed incrementally with development as outlined below in subsection (g).

(ix) In Development Areas 1-3, prior to the commencement of grading and/or commencement of a new phase of building construction, Master Developer shall provide ten (10) days' written notice to adjacent HOAs.

(x) In Development Area 4, prior to the commencement of grading, Master Developer shall provide ten (10) days' written notice to adjacent HOAs.

(g) Landscape, Park, and Recreation Areas. The Property consists of two hundred fifty and ninety-two hundredths (250.92) acres. Master Developer shall landscape and/or amenitize (or cause the same to occur) approximately forty percent (40%) or one hundred (100) acres of the Property, which includes associated parking and adjacent access ways, far in excess of the Code requirements. Master Developer shall construct, or cause the construction of the following:

(i) Development Areas 1, 2 and 3. A minimum of 12.7 acres of landscape, parks, and recreation areas shall be provided throughout the 67.21 acres of Development Areas 1, 2 and 3. The 12.7 acres of landscape, parks, and recreation area will include a minimum of: 2.5 acres of privately-owned park areas open to residents of the Property, Queensridge and One Queensridge Place, and occasionally opened to the public from time to time at Master Developer's sole discretion; 6.2 acres of privately-owned park and landscape areas not open to the public; 4.0 acres of privately-owned recreational amenities not open to the public, including outdoor and indoor areas (hereinafter referred to

as "The Seventy Open Space"). A 1 mile walking loop and pedestrian walkways throughout will be included as part of the 12.7 acres. The layout(s), location(s) and size(s) of the Seventy Open Space shall be reflective in the respective Site Development Plan Review(s) and shall be constructed incrementally in conjunction with the construction of the multifamily units located in Development Areas 1, 2 and 3. The 2.5 acres of privately-owned park area(s) shall be completed prior to the approval for construction of the fifteen hundredth (1,500th) residential unit, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the fourteen hundred and ninety-ninth (1,499th) residential unit. For clarification, the completion of 2.5 acres of privately-owned park area(s) is not a prerequisite to approval for construction, by way of building permit issuance, of the first fourteen hundred and ninety-nine (1,499) residential units, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the fourteen hundred and ninety-ninth (1,499th) residential unit. The Seventy Open Space shall be maintained and managed by Master Developer's Authorized Designee, the respective HOAs, Sub-HOA or Similar Entity.

(ii) Development Area 4. Because Development Area 4 will have a maximum of only sixty-five (65) residential lots, approximately eighty-seven (87) of its acres will be landscape area. The landscape area, although not required pursuant to the UDC, is being created to maintain a landscape environment in Development Area 4 and not in exchange for higher density in Development Areas 1, 2 or 3. The landscape area will be maintained by individual residential lot owners, an HOA, sub-HOA or Similar Entity, or a combination thereof, pursuant to Section 4 of this Agreement. Upon completion of Development Area 4, there shall be a minimum of seven thousand five hundred (7,500) trees in Development Area 4.

(ii) Master Developer may, at a future date, make application under City of Las Vegas Code Section 4.24.140.

(h) Development Area 3 No Building Structures Zone and Transition Zone. In Development Area 3, there will be a wall, up to ten (10) feet in height, to serve to separate Development Areas 1, 2 and 3 from Development Area 4. The wall will provide gated access points to Development Area 4. Additionally, there will be a seventy-five (75) foot "No Building Structures Zone" easterly from Development Area 3's western boundary within seventy-five (75) feet of the property line of existing

homes adjacent to the Property as of the Effective Date, as shown on **Exhibit "B"**, to help buffer Development Area 3's development from these existing homes immediately adjacent to the particular part of the Property. The No Building Structures Zone will contain landscaping, an emergency vehicle access way that will also act as a pathway, and access drive lanes for passage to/from Development Area 4 through Development Area 3. An additional seventy-five (75) foot "Transition Zone" will be adjacent to the No Building Structures Zone, as shown on **Exhibit B**, wherein buildings of various heights are permitted but the heights of the buildings in the Transition Zone cannot exceed thirty-five (35) feet above the average finished floor of the adjacent existing residences' finished floor outside of the Property as of the Effective Date, in no instance in excess of the parameters of the Design Guidelines. For example, if the average finished floor of an adjacent existing residences, as of the Effective Date, is 2,800 feet in elevation, the maximum building height allowed in the adjacent Transition Zone would be 2,835 feet. Along the western edge of the Transition Zone, architectural design will pay particular attention to the building exterior elevations to take into consideration architectural massing reliefs, both vertical and horizontal, building articulation, building colors, building materials and landscaping. A Site Development Plan Review(s) is required prior to development in Development Areas 1, 2 and 3.

(i) Grading and Earth Movement.

(i) Master Developer understands that it must obtain Federal Emergency Management Agency's ("FEMA") CLOMR approval prior to any mass grading on the FEMA designated areas of the Property. Master Developer may commence construction, and proceed through completion, subject to receipt of the appropriate grading and/or building permits, on the portions of the Property located outside the FEMA designated areas prior to obtaining FEMA CLOMR approval.

(ii) Master Developer's intention is that the Property's mass grading cut and fill earth work will balance, thereby mitigating the need for the import and export of fill material. However, there will be a need to import dirt for landscape fill.

(iii) In order to minimize earth movement to and from the Property, Master Developer shall be authorized to process the cut materials on site to create the needed fill materials, therefore eliminating or significantly reducing the need to take cut and fill materials from and to the Property. After approval of the Master Rough Grading Plan, other than the necessary Clark County

Department of Air Quality Management approvals needed, Master Developer shall not be required to obtain further approval for rock crushing, earth processing and stockpiling on the Property; provided, however, that no product produced as a result of such rock crushing, earth processing and/or stockpiling on the Property may be sold off-site. The rock crushing shall be located no less than five hundred (500) feet from existing residential homes and, except as otherwise outlined herein, shall be subject to Las Vegas Municipal Code Section 9.16.

(iv) In conjunction with its grading permit submittal(s)/application(s), Master Developer shall submit the location(s) and height(s) of stockpiles.

(v) There shall be no blasting on the Property during the Term of the Agreement.

(j) Gated Accesses to Development Area 4. Gated accesses to/from Development Area 4 shall be on Hualapai Way and through Development Area 3 unless otherwise specified in an approved tentative map(s) or a separate written agreement.

3.02. Processing.

(a) Generally. City agrees to reasonably cooperate with Master Developer to:

(i) Expeditiously process all applications, including General Plan Amendments, in connection with the Property that are in compliance with the Applicable Rules and Master Studies and this Development Agreement; and

(ii) Promptly consider the approval of applications, subject to reasonable conditions not otherwise in conflict with the Applicable Rules, Master Studies and this Development Agreement.

(b) Zoning Entitlement for Property. The Parties acknowledge and agree that the Property is zoned R-PD7 which allows for the development of the densities provided for herein and that no subsequent zone change is needed.

(c) Other Applications. Except as provided herein, all other applications shall be processed by City according to the Applicable Rules. The Parties acknowledge that the procedures for processing such applications are governed by this Agreement, and if not covered by this Agreement, then by the Code. In addition, any additional application requirements delineated herein shall be supplemental

and in addition to such Code requirements.

(i) Site Development Plan Review. Master Developer shall satisfy the requirements of Las Vegas Municipal Code Section 19.16.100 for the filing of an application for a Site Development Plan Review, except:

(1) No Site Development Plan Review will be required for any of the up to sixty-five (65) residential units in Development Area 4 because: a) the residential units are custom homes; and, b) the Design Guidelines attached as **Exhibit "C"**, together with the required Master Studies and the future tentative map(s) for the residential units in Development Area 4, satisfy the requirements of a Site Development Plan under the R-PD zoning district. Furthermore, Master Developer shall provide its written approval for each residential unit in Development Area 4, which written approval shall accompany each residence's submittal of plans for building permits. The conditions, covenants and restrictions for Development Area 4 shall be submitted to the City prior to the issuance of building permits, except grub and clear, demolition and grading permits, in Development Area 4.

(2) A Site Development Plan has already been approved in Development Area 1 pursuant to SDR-62393 for four hundred thirty-five (435) luxury multifamily units, which shall be amended administratively to lower a portion of the building adjacent to the One Queensridge Place swimming pool area from four (4) stories to three (3) stories in height.

(3) For Development Areas 2 and 3, all Site Development Plan Reviews shall acknowledge that: a) as stated in Recital N, the development of the Property is compatible with and complementary to the existing adjacent developments; b) the Property is subject to the Design Guidelines attached as **Exhibit "C"**; c) the Master Studies have been submitted and/or approved, subject to updates, to allow the Property to be developed as proposed herein; d) this Agreement meets the City's objective to promote the health, safety and general welfare of the City and its inhabitants; and, e) the Site Development Review requirements for the following have been met with the approval of this Development Agreement and its accompanying Design Guidelines:

- i) density,
- ii) building heights,
- iii) setbacks,

- iv) residential adjacency,
- v) approximate building locations,
- vi) approximate pad areas,
- vii) approximate pad finished floor elevations, including those for the two mid-rise towers,
- viii) street sections, and,
- ix) access and circulation.

The following elements shall be reviewed as part of Site Development Review(s) for Development Areas 2 and 3:

- x) landscaping,
- xi) elevations,
- xii) design characteristics, and,
- xiii) architectural and aesthetic features.

The above referenced elements have already been approved in Development Area 1. To the extent these elements are generally continued in Development Areas 2 and 3, they are hereby deemed compatible as part of any Site Development Plan Review in Development Areas 2 and 3.

(ii) Special Use Permits. Master Developer and/or Designated Builders shall satisfy all Code requirements for the filing of an application for a special use permit.

3.03. Dedicated Staff and the Processing of Applications.

(a) Processing Fees, Generally. All applications, Major Modification Requests and Major Deviation Requests and all other requests related to the development of the Community shall pay the fees as provided by the UDC.

(b) Inspection Fees. Construction documents and plans that are prepared on behalf of Master Developer for water facilities that are reviewed by City for approval shall not require payment of inspection fees to City unless the water service provider will not provide those inspection services.

(c) Dedicated Inspection Staff. Upon written request from Master Developer to City, City shall provide within thirty (30) days from written notice, if staff is available, and Master Developer shall pay for a full-time building inspector dedicated only to the development of the Community.

3.04. Modifications of Design Guidelines. Modifications are changes to the Design Guidelines

that apply permanently to all development in the Community. The Parties agree that modifications of the Design Guidelines are generally not in the best interests of the effective and consistent development of the Community, as the Parties spent a considerable amount of time and effort negotiating at arms-length to provide for the Community as provided by the Design Guidelines. However, the Parties do acknowledge that there are special circumstances which may necessitate the modification of certain provisions of the Design Guidelines to accommodate unique situations which are presented to the Master Developer upon the actual development of the Community. Further, the Parties agree that modifications of the Design Guidelines can change the look, feel and construction of the Community in such a way that the original intent of the Parties is not demonstrated by the developed product. Notwithstanding, the Parties recognize that modifications and deviations are a reality as a result of changes in trends, technology, building materials and techniques. To that end, the Parties also agree that the only proper entity to request a modification or deviation of the Design Guidelines is the Master Developer entity itself. A request for a modification or deviation to the Design Guidelines shall not be permitted from: any other purchaser of real property within the Community, the Master HOA or a similar entity.

(a) Applicant. Requests for all modifications of the Design Guidelines may be made only by Master Developer.

(b) Minor Modifications. Minor Modifications are changes to the Design Guidelines that include:

- (i) changes in architectural styles, color palettes and detail elements.
- (ii) the addition of similar and complementary architectural styles, color palettes and detail elements to residential or commercial uses.
- (iii) changes in building materials.
- (iv) changes in landscaping materials, plant palettes, and landscaping detail elements.

(c) Submittal, Review, Decision, and Appeal.

(i) An application for Minor Modification of the Design Guidelines may be made to the Director of the Department of Planning for its consideration. The Planning Department shall coordinate the City's review of the application and shall perform all administrative actions related to the

application.

(ii) The Planning Department may, in their discretion, approve a Minor Modification or impose any reasonable condition upon such approval. The Planning Department shall issue a written decision within thirty (30) business days of receipt of the application. The decision is final unless it is appealed by the Master Developer pursuant to Section (iii) below. Applications for which no written decision is issued within thirty (30) business days shall be deemed approved. If the Planning Department rejects a request for a Minor Modification, the request shall automatically be deemed a Major Modification, and at the option of the Master Developer, the decision of the Planning Department may be appealed to the Planning Commission.

(iii) Master Developer may appeal any decision of the Planning Department to the Planning Commission by providing a written request for an appeal within 10 business days of receiving notice of the decision. Such appeal shall be scheduled for a hearing at the next available Planning Commission meeting.

(iv) Master Developer may appeal any action of the Planning Commission by providing a written request for an appeal within ten (10) business days of the Planning Commission action. Such appeal shall be scheduled for a hearing at the next available City Council meeting.

(d) Major Modifications.

(i) Any application for a modification to the Design Guidelines that does not qualify as a Minor Modification is a Major Modification. All applications for Major Modifications shall be scheduled for a hearing at the next available Planning Commission meeting after the City's receipt of the application or its receipt of the appeal provided for in Section (c) above, whichever is applicable.

(ii) All actions by the Planning Commission on Major Modifications shall be scheduled for a hearing at the next available City Council meeting.

3.05. Deviation to Design Guidelines. A deviation is an adjustment to a particular requirement of the Design Guidelines for a particular Development Parcel or lot.

(a) Minor Deviation. A Minor Deviation must not have a material and adverse impact on the overall development of the Community and may not exceed ten percent (10%) of a particular requirement

delineated by the Design Guidelines. An application for a Minor Deviation may only be made under the following circumstances:

1) A request for deviation from any particular requirement delineated by the Design Guidelines on ten percent (10%) or less of the lots in a Development Parcel; or

2) A request for deviation from the following particular requirements on greater than 10% of the lots in a Development Parcel or the entire Community:

a) Changes in architectural styles, color palettes and detail elements.

b) The addition of similar and complementary architectural styles, color palettes and detail elements.

c) Changes in building materials.

d) Changes in landscaping materials, plant palettes, and landscaping detail elements.

e) Setback encroachments for courtyards, porches, miradors, casitas, architectural projections as defined by the Design Guidelines, garages and carriage units.

f) Height of courtyard walls.

(i) Administrative Review Permitted. An application for a Minor Deviation may be filed by the Master Developer or an authorized designee as provided herein. Any application by an authorized designee of Master Developer must include a written statement from the Master Developer that it either approves or has no objection to the request.

(ii) Submittal, Review and Appeal

(1) An application for a Minor Deviation from the Design Guidelines may be made to the Planning Department for their consideration. The Department of Planning shall coordinate the City's review of the application and shall perform all administrative actions related to the application.

(2) The Department of Planning may, in their discretion, approve a Minor Deviation or impose any reasonable condition upon such approval. The Department of Planning shall issue a written decision within thirty (30) business days of receipt of the application. The decision is final unless it is appealed by the Master Developer pursuant to Section (3) below. Applications for which no written decision is issued within thirty (30) days shall be deemed approved.

(3) Master Developer or an authorized designee may appeal any decision of the Department of Planning to the Planning Commission by providing a written request for an appeal within ten (10) business days of receiving notice of the decision. Such appeal shall be scheduled for a hearing at the next available Planning Commission meeting.

(4) Master Developer or an authorized designee may appeal any action of the Planning Commission by providing a written request for an appeal within ten (10) business days of the Planning Commission action. Such appeal shall be scheduled for a hearing at the next available City Council meeting.

(b) Major Deviation. A Major Deviation must not have a material and adverse impact on the overall development of the Community and may exceed ten percent (10%) of any particular requirement delineated by the Design Guidelines.

(i) City Council Approval Required. An application for a Major Deviation may be filed by the Master Developer or an authorized designee as provided herein. Any application by an authorized designee must include a written statement from the Master Developer that it either approves or has no objection to the request. Major Deviations shall be submitted to the Planning Commission for recommendation to the City Council, wherein the City Council shall have final action on all Major Deviations.

(ii) Submittal, Review and Approval.

(1) All applications for Major Deviations shall be scheduled for a hearing at the next available Planning Commission meeting after the City's receipt of the application.

(2) All actions by the Planning Commission on Major Deviations shall be scheduled for a hearing by the City Council within thirty (30) days of such action.

(c) If Master Developer or an authorized designee requests a deviation from adopted City Infrastructure Improvement Standards, an application for said deviation shall be submitted to the Land Development Section of the Department of Building and Safety and related fees paid for consideration by the City Engineer pursuant to the Applicable Rules.

(d) Any request for deviation other than those specifically provided shall be processed pursuant to Section 3.04 (Modifications of Design Guidelines).

3.06. Anti-Moratorium. The Parties agree that no moratorium or future ordinance, resolution or other land use rule or regulation imposing a limitation on the construction, rate, timing or sequencing of the development of property including those that affect parcel or subdivision maps, building permits, occupancy permits or other entitlements to use land, that are issued or granted by City, shall apply to the development of the Community or portion thereof. Notwithstanding the foregoing, City may adopt ordinances, resolutions or rules or regulations that are necessary to:

(a) comply with any state or federal laws or regulations as provided by Section 2.04, above;

(b) alleviate or otherwise contain a legitimate, bona fide harmful and/or noxious use of the Property, except for construction-related operations contemplated herein, in which event the ordinance shall contain the most minimal and least intrusive alternative possible, and shall not, in any event, be imposed arbitrarily; or

(c) maintain City's compliance with non-City and state sewerage, water system and utility regulations. However, the City as the provider of wastewater collection and treatment for this development shall make all reasonable best efforts to insure that the wastewater facilities are adequately sized and of the proper technology so as to avoid any sewage caused moratorium.

In the event of any such moratorium, future ordinance, resolution, rule or regulation, unless taken pursuant to the three exceptions contained above, Master Developer shall continue to be entitled to apply for and receive consideration of applications contemplated in Section 3 in accordance with the Applicable Rules.

3.07. Property Dedications to City. Except as provided herein, any real property (and fixtures thereupon) transferred or dedicated to City or any other public entity shall be free and clear of any mortgages, deeds of trust, liens or encumbrances (except for any encumbrances that existed on the patent, at the time the Property was delivered to Master Developer, from the United States of America).

3.08. Additional Improvements.

(a) Development Areas 1, 2 and 3. Should Master Developer enter into a separate written agreement with the Las Vegas Valley Water District to a) utilize the Paved Golf Course Maintenance Access Roadway (described in recorded document 199602090000567), and, b) enhance it

for purposes of extending Clubhouse Drive for additional ingress and egress to Development Areas 1, 2 and 3 as contemplated on the Conceptual Site Plan in **Exhibit "C"**, then Master Developer shall provide the following additional improvements related to One Queensridge Place:

(i) Master Developer shall construct a controlled access point to public walkways that lead to those portions of The Seventy Open Space, which may include a dog park. The controlled access point will be maintained by the One Queensridge Place HOA.

(ii) Master Developer shall construct thirty-five (35) parking spaces along the property line of Development Area 1 and One Queensridge Place. The parking spaces will be maintained by the One Queensridge Place HOA.

(iii) Master Developer will work with the One Queensridge Place HOA to design and construct an enhancement to the existing One Queensridge Place south side property line wall to enhance security on the southerly boundary of One Queensridge Place. The enhancement will be maintained by the One Queensridge Place HOA.

(iv) The multifamily project, approved under SDR-62393, with four hundred thirty-five (435) luxury multifamily units, shall be amended administratively to lower a portion of the building adjacent to the One Queensridge Place swimming pool area from four (4) stories to three (3) stories in height.

(b) Development Area 4. Should Master Developer 1) enter into a separate written agreement with Queensridge HOA with respect to Development Area 4 taking access to both the Queensridge North and Queensridge South gates, and utilizing the existing Queensridge roads, and 2) enter into a separate written agreement with the Las Vegas Valley Water District to a) utilize the Paved Golf Course Maintenance Access Roadway (described in recorded document 199602090000567), and, b) enhance it for purposes of extending Clubhouse Drive for additional ingress and egress to Development Areas 1, 2 and 3 as contemplated on the Conceptual Site Plan in **Exhibit "C"**, then Master Developer shall provide the following additional improvements.

(i) Master Developer shall construct the following in Queensridge South to be maintained by the Queensridge HOA:

(a) a new entry access way;

- (b) new entry gates;
- (c) a new entry gate house; and,
- (d) an approximate four (4) acre park with a vineyard component located near the Queensridge South entrance.

(ii) Master Developer shall construct the following for Queensridge North to be maintained by the Queensridge HOA:

- (a) an approximate one and one-half (1.5) acre park located near the Queensridge North entrance; and,
- (b) new entry gates.

(c) Notwithstanding the foregoing, neither the One Queensridge Place HOA nor the Queensridge HOA shall be deemed to be third party beneficiaries of this Agreement. This Agreement does not confer any rights or remedies upon either the One Queensridge Place HOA or the Queensridge HOA. Specifically, but without limiting the generality of the foregoing, neither shall have any right of enforcement of any provision of this Agreement against the Master Developer (inclusive of its successors and assigns in interest) or City, nor any right or cause of action for any alleged breach of any obligation hereunder under any legal theory of any kind.

SECTION FOUR

MAINTENANCE OF THE COMMUNITY

4.01. Maintenance of Public and Common Areas.

(a) Community HOAs. Master Developer shall establish Master HOAs, Sub-HOAs or Similar Entities to manage and maintain sidewalk, common landscape areas, any landscaping within the street rights-of-way including median islands, private sewer facilities, private drainage facilities located within common elements, including but not limited to, grassed and/or rip-rap lined channels and natural arroyos as determined by the Master Drainage Study or applicable Technical Drainage Studies, but excluding public streets, curbs, gutters, and streetlights upon City-dedicated public streets, City owned traffic control devices and traffic control signage and permanent flood control facilities.

(b) Maintenance Obligations of the Master HOAs and Sub-HOAs. The Master HOAs or Similar Entities and the Sub-HOAs (which hereinafter may be referred to collectively as the "HOAs") shall be responsible to maintain in good condition and repair all common areas that are transferred to them for repair and maintenance (the "Maintained Facilities"), including, but not limited to sidewalks, walkways, private streets, private alleys, private drives, landscape areas, signage and water features, parks and park facilities, trails, amenity zones, flood control facilities not meeting the criteria for public maintained facilities as defined in Title 20 of the Code, and any landscaping in, on and around medians and public rights-of-way. Maintenance of the drainage facilities, which do not meet the criteria for public maintained facilities as defined in Title 20 of the Code, shall be the responsibility of an HOA or Similar Entity that encompasses a sufficient number of properties subject to this Agreement to financially support such maintenance, which may include such HOAs or Similar Entities posting a maintenance bond in an amount to be mutually agreed upon by the Director of Public Works and Master Developer prior to the City's issuance of any grading or building permits within Development Area 4, excluding any grub and clear permits outside of FEMA designated flood areas and/or demolition permits.

Master Developer acknowledges and agrees that the HOAs are common-interest communities created and governed by declarations ("Declarations") as such term is defined in NRS 116.037. The Declarations will be recorded by Master Developer or Designated Builders as an encumbrance against the property to be governed by the appropriate HOA. In each case, the HOA shall have the power to assess the encumbered property to pay the cost of such maintenance and repair and to create and enforce liens in the event of the nonpayment of such assessments. Such HOAs will be Nevada not-for-profit corporations with a board of directors elected by the subject owners, provided, however, that Master Developer may control the board of directors of such HOA for as long as permitted by applicable law.

(c) The Declaration for the HOAs, when it has been fully executed and recorded with the office of the Clark County Recorder, shall contain (or effectively contain) the following provisions:

- (i) that the governing board of the HOAs must have the power to maintain the Maintained Facilities;
- (ii) that the plan described in Section 4.02 can only be materially amended by the HOAs;

(iii) that the powers under the Declaration cannot be exercised in a manner that would defeat or materially and adversely affect the implementation of the Maintenance Plan defined below; and

(iv) that in the event the HOAs fail to maintain the Maintained Facilities in accordance with the provisions of the plan described in Section 4.02, City may exercise its rights under the Declaration, including the right of City to levy assessments on the property owners for costs incurred by City in maintaining the Maintained Facilities, which assessments shall constitute liens against the land and the individual lots within the subdivision which may be executed upon. Upon request, City shall have the right to review the Declaration for the sole purpose of determining compliance with the provisions of this Section.

4.02. Maintenance Plan. For Maintained Facilities maintained by the HOAs, the corresponding Declaration pursuant to this Section shall provide for a plan of maintenance. In Development Area 4, there will be a landscape maintenance plan with reasonable sensitivities for fire prevention provided to the City Fire Department for review.

4.03. Release of Master Developer. Following Master Developer's creation of HOAs to maintain the Maintained Facilities, and approval of the maintenance plan with respect to each HOA, each HOA shall be responsible for the maintenance of the Maintained Facilities in each particular development covered by each Declaration and Master Developer shall have no further liability in connection with the maintenance and operation of such particular Maintained Facilities. Notwithstanding the preceding sentence, Master Developer shall be responsible for the plants, trees, grass, irrigation systems, and any other botanicals or mechanical appurtenances related in any way to the Maintained Facilities pursuant to any and all express or implied warranties provided by Master Developer to the HOA under NRS Chapter 116.

4.04. City Maintenance Obligation Acknowledged. City acknowledges and agrees that all of the following will be maintained by City in good condition and repair at the City's sole cost and expense: (i) permanent flood control facilities meeting the criteria for public maintenance defined in Title 20 of the Code as identified in the Master Drainage Study or applicable Technical Drainage Studies and (ii) all City dedicated public streets (excluding any landscape within the right-of-way), associated curbs, gutters, City-

owned traffic control devices, signage, and streetlights upon City-dedicated right-of-ways within the Community and accepted by the City. City reserves the rights to modify existing sidewalks and the installation of sidewalk ramps and install or modify traffic control devices on common lots abutting public streets at the discretion of the Director of Public Works.

Master Developer will maintain all temporary detention basins or interim facilities identified in the Master Drainage Study or applicable Technical Drainage Studies. The City agrees to cooperate with the Master Developer and will diligently work with Master Developer to obtain acceptance of all permanent drainage facilities.

SECTION FIVE

PROJECT INFRASTRUCTURE IMPROVEMENTS

5.01. Conformance to Master Studies. Master Developer agrees to construct and dedicate to City or other governmental or quasi-governmental entity or appropriate utility company, all infrastructure to be publicly maintained that is necessary for the development of the Community as required by the Master Studies and this Agreement.

5.02 Sanitary Sewer.

(a) Design and Construction of Sanitary Sewer Facilities Shall Conform to the Master Sanitary Sewer Study. Master Developer shall design, using City's sewer planning criteria, and construct all sanitary sewer main facilities that are identified as Master Developer's responsibility in the Master Sanitary Sewer Study. Master Developer acknowledges and agrees that this obligation shall not be delegated or transferred to any other party.

(b) Off-Property Sewer Capacity. The Master Developer and the City will analyze the effect of the build out of the Community on Off-Property sewer pipelines. Master Developer and the City agree that the analysis may need to be revised as exact development patterns in the Community become known. All future offsite sewer analysis for the Community will consider a pipe to be at full capacity if it reaches a d/D ratio of 0.90 or greater. The sizing of new On-Property and Off-Property sewer pipe will be based on peak dry-weather flow d/D ratio of 0.50 for pipes between eight (8) and twelve (12) inches in diameter, and 0.60 for pipes larger than fifteen (15) inches in diameter.

(c) Updates. The Director of Public Works may require an update to the Master Sanitary Sewer Study as a condition of approval of the following land use applications: tentative map; Site Development Plan Review; or special use permit, but only if the applications propose land use, density, or entrances that substantially deviate from the approved Master Study or the development differs substantially in the opinion of the City from the assumptions of the approved Master Study.

5.03. Traffic Improvements.

(a) Legal Access. As a condition of approval to the Master Traffic Study and any updates thereto, Master Developer shall establish legal access to all public and private rights-of-way within the Community.

(b) Additional Right Turn Lane on Rampart Boulevard Northbound at Summerlin Parkway. At such time as City awards a bid for the construction of a second right turn lane on Rampart Boulevard northbound and the related Summerlin Parkway eastbound on-ramp, Master Developer will contribute twenty eight and three-tenths percent (28.3%) of the awarded bid amount, unless this percentage is amended in a future update to the Master Traffic Study ("Right Turn Lane Contribution"). The Right Turn Land Contribution is calculated based on a numerator of the number of AM peak trips from the Property, making a second right turn lane on Rampart Boulevard northbound and the related Summerlin Parkway eastbound on-ramp necessary, divided by a denominator of the total number of AM peak trips that changes the traffic count from a D level of service to an E level of service necessitating a second right turn lane on Rampart Boulevard northbound and the related Summerlin Parkway eastbound on-ramp. If the building permits for less than eight hundred (800) residential units have been issued, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the eight hundredth (800th) residential unit, on the Property at the time the City awards a bid for this second right turn lane, the Right Turn Lane Contribution may be deferred until the issuance of the building permit for the eight hundredth (800th) residential unit, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the eight hundredth (800th) residential unit, or a date mutually agreed upon by the Parties. If the City has not awarded a bid for the construction of the second right turn lane by the issuance of the building permit for the sixteen hundred and ninety ninth (1699th) residential unit, a dollar amount based on the approved percentage in the

updated Master Traffic Study shall be paid prior to the issuance of the seventeen hundredth (1,700th) residential unit, by way of a building permit issuance or group of building permit issuance that would encapsulate the construction of the seventeen hundredth (1,700th) residential unit, based on the preliminary cost estimate. At the time the work is bid, if the bid amount is less than the preliminary cost estimate, Master Developer shall be refunded proportionately. At the time the work is bid, if the bid amount is more than the preliminary cost estimate, Master Developer shall contribute up to a maximum of ten percent (10%) more than the cost estimate already paid to the City.

(c) Dedication of Additional Lane on Rampart Boulevard.

(i) Prior to the issuance of the 1st building permit for a residential unit in Development Areas 1, 2 or 3, Master Developer shall dedicate a maximum of 16 feet of a right-of-way for an auxiliary lane with right-of-way in accordance with Standard Drawing #201.1 on Rampart Boulevard along the Property's Rampart Boulevard frontage which extends from Alta Drive south to the Property's southern boundary on Rampart Boulevard. City shall pursue funding for construction of this additional lane as part of a larger traffic capacity public improvement project, however no guarantee can be made as to when and if such a project occurs.

(ii) On the aforementioned dedicated right-of-way, from the Property's first Rampart Boulevard entry north two hundred fifty (250) feet, Master Developer will construct a right hand turn lane into the Property in conjunction with Development Area 1's site improvements.

(d) Traffic Signal Improvements.

(i) Master Developer shall comply with Ordinance 5644 (Bill 2003-94), as amended from time to time by the City. The Master Developer shall construct or re-construct any traffic signal that is identified in the Master Traffic Study as the Master Developer's responsibility and shall provide appropriate easements and/or additional rights-of-way, as necessary.

(ii) The Master Traffic Study proposes the installation of a new traffic signal located on Rampart Boulevard at the first driveway located south of Alta Drive to Development Area 1. The Master Traffic Study indicates that this proposed signalized driveway on Rampart Boulevard operates at an acceptable level of service without a signal at this time. The installation of this proposed traffic signal is not approved by the City at this time. The City agrees to accept in the future an update to

the Master Traffic Study to re-evaluate the proposed traffic signal. Any such updated Master Traffic Study shall be submitted six (6) months after the issuance of the last building permit for Development Area 1 and/or at such earlier or subsequent times as mutually agreed to by the City and Master Developer. If construction of a traffic signal is approved at Rampart Boulevard at this first driveway to Development Area 1, the Master Developer shall, concurrently with such traffic signal, construct that portion of the additional lane dedicated pursuant to Section 5.03(c)(i) to the extent determined by the updated Master Traffic Study, unless such construction has already been performed as part of a public improvement project.

(e) Updates. The Director of Public Works may require an update to the Master Traffic Study as a condition of approval of the following land use applications: tentative map; site development plan review; or special use permit, but only if the applications propose land use, density, or entrances that substantially deviate from the approved Master Study or the development differs substantially in the opinion of the City Traffic Engineer from the assumptions of the approved Master Traffic Study. Additional public right-of-way may be required to accommodate any changes.

(f) Development Phasing. See Development Phasing plan attached hereto as **Exhibit "D"**.

5.04. Flood Control.

(a) Prior to the issuance of any permits in portions of the Property which do not overlie the regional drainage facilities on the Property, Master Developer shall maintain the existing \$125,000 flood maintenance bond for the existing public drainage ways on the Property at \$125,000. Prior to the issuance of any permits in portions of the Property which overlie the regional drainage facilities on the Property, Master Developer shall increase this bond amount to \$250,000.

(b) Obligation to Construct Flood Control Facilities solely on Master Developer. Master Developer shall design and construct flood control facilities that are identified as Master Developer's responsibility in the Master Drainage Study or applicable Technical Drainage Studies. Except as provided for herein, Master Developer acknowledges and agrees that this obligation shall not be delegated to or transferred to any other party.

(c) Other Governmental Approvals. The Clark County Regional Flood Control and

any other state or federal agencies, as required, shall approve the Master Drainage Study prior to final approval from City.

(d) Updates. The Director of Public Works may require an update to the Master Drainage Study or Master Technical Study as a condition of approval of the following land use applications if deemed necessary: tentative map (residential or commercial); or site development plan review (multifamily or commercial); or parcel map if those applications are not in substantial conformance with the approved Master Land Use Plan or Master Drainage Study. The update must be approved prior to the approval of any construction drawings and the issuance of any final grading permits, excluding any grub and clear permits outside of FEMA designated flood areas and/or demolition permits. An update to the exhibit in the approved Master Drainage Study depicting proposed development phasing in accordance with the Development Agreement shall be submitted for approval by the Flood Control Section.

(e) Regional Flood Control Facility Construction by Master Developer. The Master Developer agrees to design and substantially complete the respective portions of the Clark County Regional Flood Control District facilities, as defined in the Master Drainage Study pursuant to an amendment to the Regional Flood Control District 2008 Master Plan Update, prior to the issuance of any permits for units located on those land areas that currently are within the flood zone, on which permits are requested. Notwithstanding the above, building permit issuance is governed by section 3.01(f).

(f) Construction Phasing. Master Developer shall submit a phasing and sequencing plan for all drainage improvements within the Community as a part of the Master Drainage Study. The phasing plan and schedule must clearly identify drainage facilities (interim or permanent) necessary prior to permitting any downstream units for construction. Notwithstanding the above, building permit issuance is governed by section 3.01(f).

SECTION SIX

DEFAULT

6.01. Opportunity to Cure; Default. In the event of any noncompliance with any provision of

this Agreement, the Party alleging such noncompliance shall deliver to the other by certified mail a ten (10) day notice of default and opportunity to cure. The time of notice shall be measured from the date of receipt of the certified mailing. The notice of noncompliance shall specify the nature of the alleged noncompliance and the manner in which it may be satisfactorily corrected, during which ten (10) day period the party alleged to be in noncompliance shall not be considered in default for the purposes of termination or institution of legal proceedings.

If the noncompliance cannot reasonably be cured within the ten (10) day cure period, the non-compliant Party may timely cure the noncompliance for purposes of this Section 6 if it commences the appropriate remedial action with the ten (10) day cure period and thereafter diligently prosecutes such action to completion within a period of time acceptable to the non-breaching Party. If no agreement between the Parties is reached regarding the appropriate timeframe for remedial action, the cure period shall not be longer than ninety (90) days from the date the ten (10) day notice of noncompliance and opportunity to cure was mailed to the non-compliant Party.

If the noncompliance is corrected, then no default shall exist and the noticing Party shall take no further action. If the noncompliance is not corrected within the relevant cure period, the non-complaint Party is in default, and the Party alleging non-compliance may declare the breaching Party in default and elect any one or more of the following courses.

(a) Option to Terminate. After proper notice and the expiration of the above-referenced period for correcting the alleged noncompliance, the Party alleging the default may give notice of intent to amend or terminate this Agreement as authorized by NRS Chapter 278. Following any such notice of intent to amend or terminate, the matter shall be scheduled and noticed as required by law for consideration and review solely by the City Council.

(b) Amendment or Termination by City. Following consideration of the evidence presented before the City Council and a finding that a substantial default has occurred by Master Developer and remains uncorrected, City may amend or terminate this Agreement pursuant to NRS 278. Termination shall not in any manner rescind, modify, or terminate any vested right in favor of Master Developer, as determined under the Applicable Rules, existing or received as of the date of the termination. Master Developer shall have twenty-five (25) days after receipt of written notice of

termination to institute legal action pursuant to this Section to determine whether a default existed and whether City was entitled to terminate this Agreement.

(c) Termination by Master Developer. In the event City substantially defaults under this Agreement, Master Developer shall have the right to terminate this Agreement after the hearing set forth in this Section. Master Developer shall have the option, in its discretion, to maintain this Agreement in effect, and seek to enforce all of City's obligations by pursuing an action pursuant to this Section 6.01(c).

6.02. Unavoidable Delay; Extension of Time. Neither party hereunder shall be deemed to be in default, and performance shall be excused, where delays or defaults are caused by war, national disasters, terrorist attacks, insurrection, strikes, walkouts, riots, floods, earthquakes, fires, casualties, third-party lawsuits, or acts of God. If written notice of any such delay is given to one Party or the other within thirty (30) days after the commencement thereof, an automatic extension of time, unless otherwise objected to by the party in receipt of the notice within thirty (30) days of such written notice, shall be granted coextensive with the period of the enforced delay, or longer as may be required by circumstances or as may be subsequently agreed to between City and Master Developer.

6.03. Limitation on Monetary Damages. City and the Master Developer agree that they would not have entered into this Agreement if either were to be liable for monetary damages based upon a breach of this Agreement or any other allegation or cause of action based upon or with respect to this Agreement. Accordingly, City and Master Developer (or its permitted assigns) may pursue any course of action at law or in equity available for breach of contract, except that neither Party shall be liable to the other or to any other person for any monetary damages based upon a breach of this Agreement.

6.04. Venue. Jurisdiction for judicial review under this Agreement shall rest exclusively with the Eighth Judicial District Court, County of Clark, State of Nevada or the United States District Court, District of Nevada. The parties agree to mediate any and all disputes prior to filing of an action in the Eighth Judicial District Court unless seeking specific performance or injunctive relief.

6.05. Waiver. Failure or delay in giving notice of default shall not constitute a waiver of any default. Except as otherwise expressly provided in this Agreement, any failure or delay by any party in asserting any of its rights or remedies in respect of any default shall not operate as a waiver of any

default or any such rights or remedies, or deprive such party of its right to institute and maintain any actions or proceedings that it may deem necessary to protect, assert, or enforce any of its rights or remedies.

6.06. Applicable Laws; Attorneys' Fees. This Agreement shall be construed and enforced in accordance with the laws of the State of Nevada. Each party shall bear its own attorneys' fees and court costs in connection with any legal proceeding hereunder.

SECTION SEVEN

GENERAL PROVISIONS

7.01. Duration of Agreement. The Term of this Agreement shall commence upon the Effective Date and shall expire on the thirtieth (30) anniversary of the Effective Date, unless terminated earlier pursuant to the terms hereof. City agrees that the Master Developer shall have the right to request extension of the Term of this Agreement for an additional five (5) years upon the following conditions:

(a) Master Developer provides written notice of such extension to City at least one hundred-eighty (180) days prior to the expiration of the original Term of this Agreement; and

(b) Master Developer is not then in default of this Agreement;

Upon such extension, Master Developer and City shall enter into an amendment to this Agreement memorializing the extension of the Term.

7.02. Assignment. The Parties acknowledge that the intent of this Agreement is that there is a Master Developer responsible for all of the obligations in this Agreement throughout the Term of this Agreement.

(a) At any time during the Term, Master Developer and its successors-in-interest shall have the right to sell, assign or transfer all of its rights, title and interests to this Agreement (a "Transfer") to any person or entity (a "Transferee"). Except in regard to Transfers to Pre-Approved Transferees (which does not require any consent by the City as provided in Section 5.02(b) below), prior to consummating any Transfer, Master Developer shall obtain from the City written consent to the Transfer as provided for in this Agreement, which consent shall not be unreasonably withheld, delayed or

conditioned. Master Developer's written request shall provide reasonably sufficient detail and any non-confidential, non-proprietary supporting evidence necessary for the City to consider and respond to Master Developer's request. Master Developer shall provide information to the City that Transferee, its employees, consultants and agents (collectively "Transferee Team") has: (i) the financial resources necessary to develop the Community, in accordance with the terms and conditions of this Agreement, or (ii) experience and expertise in developing projects similar in scope to the Community. The Master Developer's request, including approval of the Assignment and Assumption Agreement reasonably acceptable to the City, shall be promptly considered by the City Council for their approval or denial within forty-five (45) days from the date the City receives Master Developer's written request. Upon City's approval and the full execution of an Assignment and Assumption Agreement by City, Master Developer and Transferee, the Transferee shall thenceforth be deemed to be the Master Developer and responsible for all of the obligations in this Agreement and Master Developer shall be fully released from the obligations in this Agreement.

(b) Pre-Approved Transferees. Notwithstanding anything in this Agreement to the contrary, the following Transferees constitute "Pre-Approved Transferees," for which no City consent shall be required provided that such Pre-Approved Transferees shall assume in writing all obligations of the Master Developer hereunder by way of an Assignment and Assumption Agreement. The Assignment and Assumption Agreement shall be approved by the City Manager, whose approval shall not be unreasonably withheld, delayed or conditioned. The Assignment and Assumption Agreement shall be executed by the Master Developer and Pre-Approved Transferee and acknowledged by the City Manager. The Pre-Approved Transferee shall thenceforth be deemed to be the Master Developer and be responsible for all of the obligations in this Agreement and Master Developer shall be fully released from the obligations in this Agreement.

- 1) An entity owned or controlled by Master Developer or its Affiliates;
- 2) Any Investment Firm that does not plan to develop the Property. If Investment Firm desires to: (i) develop the Property, or (ii) Transfer the Property to a subsequent Transferee that intends to develop the Property, the Investment Firm shall obtain from the City written consent to: (i) commence development, or (ii) Transfer the Property to a subsequent Transferee that

intends to develop the Property, which consent shall not be unreasonably withheld, delayed or conditioned. Investment Firm's written request shall provide reasonably sufficient detail and any non-confidential, non-proprietary supporting evidence necessary for the City Council to consider. Investment Firm shall provide information to the City that Investment Firm or Transferee and their employees, consultants and agents (collectively "Investment Firm Team" and "Transferee Team", respectively) that intends to develop the Property has: (i) the financial resources necessary to develop the Community, in accordance with the terms and conditions of this Agreement, or (ii) experience and expertise in developing projects similar in scope to the Community. The Investment Firm's request, including approval of the Assignment and Assumption Agreement reasonably acceptable to the City, shall be promptly considered by the City Council for their approval or denial within forty-five (45) days from the date the City receives Master Developer's written request. Upon City's approval and full execution of an Assignment and Assumption Agreement by City, Investment Firm and Transferee, the Transferee shall thenceforth be deemed to be the Master Developer and responsible for the all of the obligations in this Agreement.

(c) In Connection with Financing Transactions. Master Developer has full and sole discretion and authority to encumber the Property or portions thereof, or any improvements thereon, in connection with financing transactions, without limitation to the size or nature of any such transaction, the amount of land involved or the use of the proceeds therefrom, and may enter into such transactions at any time and from time to time without permission of or notice to City. All such financing transactions shall be subject to the terms and conditions of this Agreement. Should such transaction require parcel mapping, City shall process such maps.

7.03. Sale or Other Transfer Not to Relieve the Master Developer of its Obligation. Except as expressly provided herein in this Agreement, no sale or other transfer of the Property or any subdivided development parcel shall relieve Master Developer of its obligations hereunder, and such assignment or transfer shall be subject to all of the terms and conditions of this Agreement, provided, however, that no such purchaser shall be deemed to be the Master Developer hereunder. This Section shall have no effect upon the validity of obligations recorded as covenants, conditions, restrictions or liens against parcels of real property.

7.04. Indemnity; Hold Harmless. Except as expressly provided in this Agreement, the Master Developer shall hold City, its officers, agents, employees, and representatives harmless from liability for damage for personal injury, including death and claims for property damage which may arise from the direct or indirect development operations or activities of Master Developer, or those of its contractors, subcontractors, agents, employees, or other persons acting on Master Developer's behalf. Master Developer agrees to and shall defend City and its officers, agents, employees, and representatives from actions for damages caused by reason of Master Developer's activities in connection with the development of the Community other than any challenges to the validity of this Agreement or City's approval of related entitlements or City's issuance of permits on the Property. The provisions of this Section shall not apply to the extent such damage, liability, or claim is proximately caused by the intentional or negligent act of City, its officers, agent, employees, or representatives. This section shall survive any termination of this Agreement.

7.05. Binding Effect of Agreement. Subject to this Agreement, the burdens of this Agreement bind, and the benefits of this Agreement inure to, the Parties' respective assigns and successors-in-interest and the property which is the subject of this Agreement.

7.06. Relationship of Parties. It is understood that the contractual relationship between City and Master Developer is such that Master Developer is not an agent of City for any purpose and City is not an agent of Master Developer for any capacity.

7.07. Counterparts. This Agreement may be executed at different times and in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Any signature page of this Agreement may be detached from any counterpart without impairing the legal effect to any signatures thereon, and may be attached to another counterpart, identical in form thereto, but having attached to it one or more additional signature pages. Delivery of a counterpart by facsimile or portable document format (pdf) through electronic mail transmission shall be as binding an execution and delivery of this Agreement by such Party as if the Party had delivered an actual physical original of this Agreement with an ink signature from such Party. Any Party delivering by facsimile or electronic mail transmission shall promptly thereafter deliver an executed counterpart original hereof to the other Party.

7.08. Notices. All notices, demands and correspondence required or provided for under this Agreement shall be in writing. Delivery may be accomplished in person, by certified mail (postage prepaid return receipt requested), or via electronic mail transmission. Mail notices shall be addressed as follows:

To City:	City of Las Vegas 495 South Main Street Las Vegas, Nevada 89101 Attention: City Manager Attention: Director of the Department of Planning
To Master Developer:	180 LAND CO LLC 1215 Fort Apache Road, Suite 120 Las Vegas, NV 89117
Copy to:	Chris Kaempfer Kaempfer Crowell 1980 Festival Plaza Drive, Suite 650 Las Vegas, Nevada 89135

Either Party may change its address by giving notice in writing to the other and thereafter notices, demands and other correspondence shall be addressed and transmitted to the new address. Notices given in the manner described shall be deemed delivered on the day of personal delivery or the date delivery of mail is first attempted.

7.09. Entire Agreement. This Agreement constitutes the entire understanding and agreement of the Parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the Parties with respect to all of any part of the subject matter hereof.

7.10. Waivers. All waivers of the provisions of this Agreement shall be in writing and signed by the appropriate officers of Master Developer or approved by the City Council, as the case may be.

7.11. Recording; Amendments. Promptly after execution hereof, an executed original of this Agreement shall be recorded in the Official Records of Clark County, Nevada. All amendments hereto must be in writing signed by the appropriate officers of City and Master Developer in a form suitable for recordation in the Official Records of Clark County, Nevada. Upon completion of the performance of this Agreement, a statement evidencing said completion, shall be signed by the appropriate officers of the

City and Master Developer and shall be recorded in the Official Records of Clark County, Nevada. A revocation or termination shall be signed by the appropriate officers of the City and/or Master Developer and shall be recorded in the Official Records of Clark County, Nevada.

7.12. Headings; Exhibits; Cross References. The recitals, headings and captions used in this Agreement are for convenience and ease of reference only and shall not be used to construe, interpret, expand or limit the terms of this Agreement. All exhibits attached to this Agreement are incorporated herein by the references contained herein. Any term used in an exhibit hereto shall have the same meaning as in this Agreement unless otherwise defined in such exhibit. All references in this Agreement to sections and exhibits shall be to sections and exhibits to this Agreement, unless otherwise specified.

7.13. Release. Each residential lot or condominium lot shown on a recorded subdivision map within the Community shall be automatically released from the encumbrance of this Agreement without the necessity of executing or recording any instrument of release upon the issuance of a building permit for the construction of a residence thereon.

7.14. Severability of Terms. If any term or other provision of this Agreement is held to be invalid, illegal or incapable of being enforced by any rule of law or public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect, provided that the invalidity, illegality or unenforceability of such terms does not materially impair the Parties' ability to consummate the transactions contemplated hereby. If any term or other provision is invalid, illegal or incapable of being enforced, the Parties hereto shall, if possible, amend this Agreement so as to affect the original intention of the Parties.

7.15. Exercise of Discretion. Wherever a Party to this Agreement has discretion to make a decision, it shall be required that such discretion be exercised reasonably unless otherwise explicitly provided in the particular instance that such decision may be made in the Party's "sole" or "absolute" discretion or where otherwise allowed by applicable law.

7.16. No Third Party Beneficiary. This Agreement is intended to be for the exclusive benefit of the Parties hereto and their permitted assignees. No third party beneficiary to this Agreement is contemplated and none shall be construed or inferred from the terms hereof. In particular, no person purchasing or acquiring title to land within the Community, residing in the Community, or residing, doing

business or owning adjacent land outside the Community shall, as a result of such purchase, acquisition, business operation, ownership in adjacent land or residence, have any right to enforce any obligation of Master Developer or City nor any right or cause of action for any alleged breach of any obligation hereunder by either party hereto.

7.17. Gender Neutral. In this Agreement (unless the context requires otherwise), the masculine, feminine and neutral genders and the singular and the plural include one another.

SECTION EIGHT

REVIEW OF DEVELOPMENT

8.01. Frequency of Reviews. As provided by NRS Chapter 278, Master Developer shall appear before the City Council to review the development of the Community. The Parties agree that the first review occur no later than twenty-four (24) months after the Effective Date of this Agreement, and again every twenty-four (24) months on the anniversary date of that first review thereafter or as otherwise requested by City upon fourteen (14) days written notice to Master Developer. For any such review, Master Developer shall provide, and City shall review, a report submitted by Master Developer documenting the extent of Master Developer's and City's material compliance with the terms of this Agreement during the preceding period.

[Signatures on following pages]

In Witness Whereof, this Agreement has been executed by the Parties on the day and year first
above written.

CITY:

CITY COUNCIL, CITY OF LAS VEGAS

By:

Mayor

Approved as to Form:

City Attorney

Attest:

City Clerk

By:

LuAnn Holmes, City Clerk

MASTER DEVELOPER

180 LAND CO LLC,

a Nevada limited liability company

By:

Name:

Title:

SUBSCRIBED AND SWORN TO before me

on this ____ day of _____,

2017.

Notary Public in and for said County and State

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME FORWARD AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 19, 2017

DEPARTMENT: CITY CLERK

DIRECTOR: LUANN D. HOLMES

☐ Consent ☒ Discussion

SUBJECT:
ADJOURNMENT

