

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA,

Respondent/Cross-Appellant.

No. 84345

Electronically Filed
Aug 25 2022 01:40 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

No. 84640

**JOINT APPENDIX,
VOLUME NO. 47**

LAW OFFICES OF KERMITT L. WATERS

Kermitt L. Waters, Esq.

Nevada Bar No. 2571

kermitt@kermittwaters.com

James J. Leavitt, Esq.

Nevada Bar No. 6032

jim@kermittwaters.com

Michael A. Schneider, Esq.

Nevada Bar No. 8887

michael@kermittwaters.com

Autumn L. Waters, Esq.

Nevada Bar No. 8917

autumn@kermittwaters.com

704 South Ninth Street

Las Vegas, Nevada 89101

Telephone: (702) 733-8877

*Attorneys for 180 Land Co., LLC and
Fore Stars, Ltd.*

LAS VEGAS CITY ATTORNEY'S OFFICE

Bryan K. Scott, Esq.

Nevada Bar No. 4381

bscott@lasvegasnevada.gov

Philip R. Byrnes, Esq.

pbyrnes@lasvegasnevada.gov

Nevada Bar No. 166

Rebecca Wolfson, Esq.

rwolfson@lasvegasnevada.gov

Nevada Bar No. 14132

495 S. Main Street, 6th Floor

Las Vegas, Nevada 89101

Telephone: (702) 229-6629

Attorneys for City of Las Vegas

CLAGGETT & SYKES LAW FIRM

Micah S. Echols, Esq.

Nevada Bar No. 8437

micah@claggettlaw.com

4101 Meadows Lane, Suite 100

Las Vegas, Nevada 89107

(702) 655-2346 – Telephone

*Attorneys for 180 Land Co., LLC and
Fore Stars, Ltd.*

McDONALD CARANO LLP

George F. Ogilvie III, Esq.

Nevada Bar No. 3552

gogilvie@mcdonaldcarano.com

Amanda C. Yen, Esq.

ayen@mcdonaldcarano.com

Nevada Bar No. 9726

Christopher Molina, Esq.

cmolina@mcdonaldcarano.com

Nevada Bar No. 14092

2300 W. Sahara Ave., Ste. 1200

Las Vegas, Nevada 89102

Telephone: (702) 873-4100

LEONARD LAW, PC

Debbie Leonard, Esq.

debbie@leonardlawpc.com

Nevada Bar No. 8260

955 S. Virginia Street Ste. 220

Reno, Nevada 89502

Telephone: (775) 964.4656

SHUTE, MIHALY & WEINBERGER, LLP

Andrew W. Schwartz, Esq.

schwartz@smwlaw.com

California Bar No. 87699

(admitted pro hac vice)

Lauren M. Tarpey, Esq.

ltarpey@smwlaw.com

California Bar No. 321775

(admitted pro hac vice)

396 Hayes Street

San Francisco, California 94102

Telephone: (415) 552-7272

Attorneys for City of Las Vegas



Bob Coffin



He has lots of lawyers with authority to do anything to disqualify me from voting on his development and spend what it takes.

His name is Yohan Lowie. He purchased a golf course in the middle of this housing and destroyed it to force the people to cave in to him. All that stands in the path of this man and his greed is the Las Vegas City Council. Doesn't that make you feel good?

Well, a majority is standing in his path and he is trying to reduce our number to get his way---Anyway he can.

Again, his name is Yohan Lowie and his company is EHB Development. His project is called Badlands. Look it up.

More to follow.....

   73

35 Comments



Like



Comment



004244

8504



Bob Coffin



Posts

**Bob Coffin**

Yesterday at 7:11 PM ·

Please do not send any notes to me on Messenger.

I am being sued by a greedy developer who is using a little-known Nevada law to attempt to force me to turn over all communications on all my personal electronic devices to gain information he can use in court.

He is also monitoring regular Facebook posts to see if I show bias against him and his upper class housing project. For sure I will not be adding new FB friends to help him out.

He also wants me to turn over all email lerrers that he would judge to be biased against him. That HE would judge. And text messages. You name it. Everything!

He has lots of lawyers with authority to do



004245

8505

Exhibit 127

Philip R. Byrnes
Senior Litigation Counsel

City of Las Vegas
Office of the City Attorney



495 South Main Street, Sixth Floor
Las Vegas, Nevada 89101
Office (702) 229-6629
Fax (702) 386-1749
pbyrnrcs@lasvegasnevada.gov

September 17, 2018

Piers Tueller, Esq.
HUTCHISON & STEFFEN, LLC
10080 West Alta Drive, #200
Las Vegas, NV 89145

RE: *Public Records Request - W009103-021518- Any and all written communications to or from Coffin concerning Badlands golf course from June 7, 2011 to present. Any and all written communications to and from Councilman Seroka concerning the Badlands golf course from June 13, 2017 to present.*

Dear Mr. Tueller:

Please find Councilman Coffin's text messages. The page marked as CLV000008 has been redacted for Attorney-client privilege.

Sincerely,

OFFICE OF THE CITY ATTORNEY

A handwritten signature in black ink, appearing to read "Philip R. Byrnes".

PHILIP R. BYRNES
Senior Litigation Counsel

PRB:tag
Enclosures

004246
LO 00002965

8507



47% 1:23 PM



badlands



3:46 PM



Brian Hurlburt

Bob: Brian Hurlburt here. Do you have time for a call about badlands later today or tmro morning?

11:15 AM



Susan Finucan

Heading down to chambers in about 5 minutes.....do you need your Badlands backup?

12:42 AM



Bob Beers

e forest. They would add a street from the Badlands driveway to Tivoli to the SW of Alta & Rampart, big open space amidst some commercial along the new r

6:53 AM



Bob Beers

Yes. They're closing Badlands GC.

6:46 AM

1/1

CLV000001 004247
LO 00002966

8508



47% 1:23 PM



badlands



Trinity Schlotman

(1/2) Great hearing from you Bob. Sorry just seeing your text and although I've been briefed on the Badlands case I still have not had a chance to review all of

3:46 PM



Brian Hurlburt

Bob: Brian Hurlburt here. Do you have time for a call about badlands later today or tmro morning?

11:15 AM



Susan Finucan

Heading down to chambers in about 5 minutes.....do you need your Badlands backup?

12:42 AM



Bob Beers

e forest. They would add a street from the Badlands driveway to Tivoli to the SW of Alta

1/1

CLV000002 004248
LO 00002967

8509

77°

47% 1:23 PM



badlands



9:33 PM

I just called to congratulate and realized it might be too late. There is a lot to ask you about starting with your oppo on that crazy israeli. Next few days gonna be crucial on Badlands.

8:47 PM

No tolerance on this one. Pls ask Tim to post me later when more is known. Yeah, I am looking elsewhere next few hours. Badlands rides on this!

4:16 PM

Not all Badlands peeps are rich. An awful lot of middle class peeps for whom the house is their estate.

Trinity Schlotman



(1/2) Great hearing from you Bob. Sorry just seeing your text

1/1

CLV000003 004249
LO 00002968

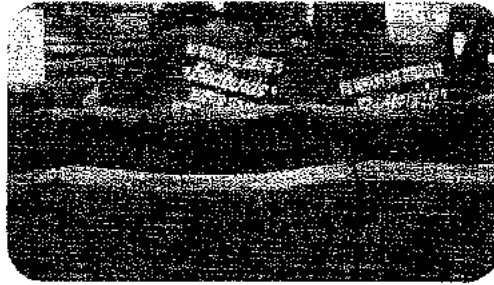
8510

73°

47% 1:22 PM



badlands



We support badlands
no union info on tshirt

MMS
4:51 PM

10:21 AM

Hi. I hope you are
doing okay? Have you
decided what you are
going to do tomorrow
on Badlands?

10:32 PM

While you are waiting
to hear is there a fair
amount of intel on
the scum behind the
badlands takeover?
Dirt will be handy if I
need to get rough

8:20 AM

Morning Jim. Any word
on your PI enquiry
about badlands guy?

I just called to

1/1

CLV000004 004250
LO 00002969

8511

77°

47% 1:22 PM



badlands



MJ Norero



I think brad wants to meet with fiore about badlands and her vote I'll try to get more info next week

5:38 PM

MJ Norero



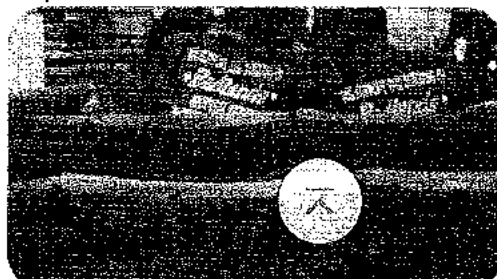
No changes on badlands so far

11:24 AM

Attaboy! My advice to him would be to avoid any conversation on badlands with any Yohan team, even informal. Like Trump he confabulates anything told to him. Only trust Jay cuz he is a pro.

9:19 PM

Felipe Ortiz



1/1

CLV000005 004251
LO 00002970

8512

77°

47% 1:22 PM



badlands



some on penair or
Badlands. Biggest
\$ deal around not
counting marijuana

9:06 AM



Jamie Murks RJ

Someone said
Badlands might be
held. Do you know if
that's going to happen?

11:26 AM



Julie Wilcox

Councilman

I wanted to make you
aware that councilman
Seroka called and
asked about our
easement and the
badlands issue.

I told him I had
personally

1:55 PM

Gena Griesen called
me today and said she
had been to badlands
etc. With a little

1/1

CLV000006 004252
LO 00002971

8513

77°

47% 1:22 PM



badlands



George, EHB is making another run for permission to use the easement from Rampart to access Badlands. Feel free to call.

2:39 PM

Trinity Schlotman



Badlands abeyed last night.

10:19 PM

Jerry Snyder



Bob: I just got back to town and saw the uproar over Badlands and anti-semitism. I say bullshit! If you need any support I am here to help. Jerry

11:34 AM

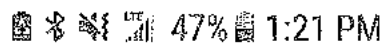
The only thing that have never felt right here is the fight by some on behalf of Badlands. Biggest \$ deal around not counting marijuana

9:06 AM

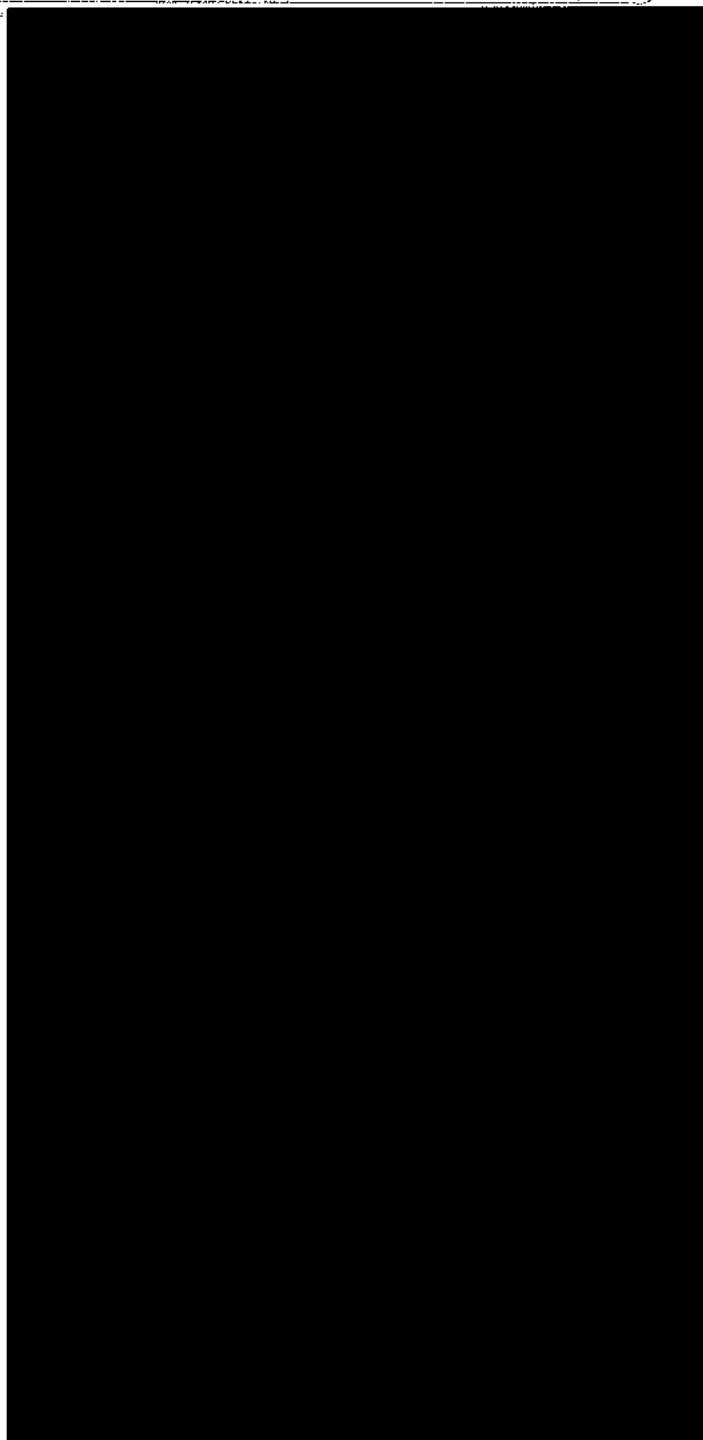
1/1

CLV000007 004253
LO 00002972

8514



badlands



CLV000008 004254
LO 00002973

77°

47% 1:21 PM



badlands



Thank you. Haven't seen you testify in awhile. Your clients are quiet. Can you believe Badlands? Talk about sraff-driven nonsense. Of course for awhile they responded to a majority as they twisted but now there is a new majority. Take a short while and read Crocketts opinion. Zinger!

4:00 PM

Russell Rowe

R

Vindication, at least for now. Maybe this decision will be the beginning of some internal changes at the City. Hope you're doing well Bob.

Las Vegas 'abused its discretion' in Badlands vote, judge rules
<https://www.reviewjournal.com/news/politics-and>

1/1

CLV000009 004255
 LO 00002974

8516

77°

48% 1:21 PM



badlands



Mom



Advance Badlands
story in Sun, not RJ.

8:28 AM

8:42 PM

Hi SS. Bob C bere. Are
you abeying Badlands
items on Council? Up
to you.

8:37 PM

George. I am in
Korea. Any word
on possible abeyances
of Badlands? CG had
hinted at that.

8:36 PM

Any advance stories on
Council yet? I know its
a holiday. Sure would
like to NOT get up at
2 am here. Pray for
Badlands to abey all
nine items.

Thank you. Haven't
seen you testify in
awhile. Your cljents are
quiet. Can you believe

1/1

CLV000010 004256
LO 00002975

8517

77°

48% 1:20 PM



badlands



MESSAGES

33 FOUND ^

Mom



Story on View front
page about Woford
with nice quote from
you. Badlands story at
top of 1b. Rebels lost
at home. RJ said only
4,000 at game. Knights
pl

10:24 AM

Just finished
voting....again....on
Badlands....by tele

1:49 PM

VIEW ALL

Exhibit 128

From: [REDACTED]
Location: 495 S. Main Street/7th Floor/Councilman Seroka's Office
Importance: Normal
Subject: Accepted: FW: [Confidential] Meeting with Craig Billings @ Wed Sep 26, 2018 09:00 - 10:00 (PDT) (Steven Seroka)
Start Date/Time: Wed 9/26/2018 4:00:00 PM
End Date/Time: Wed 9/26/2018 5:00:00 PM
[invite.ics](#)

923232323

Craig Billings has accepted this invitation.

FW: [Confidential] Meeting with Craig Billings

When Wed Sep 26, 2018 09:00 – 10:00 Pacific Time - Los Angeles

Where 495 S. Main Street/7th Floor/Councilman Seroka's Office ([map](#))

Calendar Steven Seroka

Who

- Steven Seroka - organizer
- Craig Billings - creator

-----Original Appointment-----

From: jvolmar@LasVegasNevada.GOV > On Behalf Of Steven Seroka

Sent: Monday, September 24, 2018 4:31 PM

To: Steven Seroka; Billings, Craig; Jerry Walker; Joseph Volmar; Marco Henry

Subject: Meeting with Craig Billings

When: Wednesday, September 26, 2018 09:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).

Where: 495 S. Main Street/7th Floor/Councilman Seroka's Office

--Note that (jvolmar@LasVegasNevada.GOV) is an external email. Forward unfamiliar emails to WE Protect.--

Councilman

Thank you so much for taking the time to meet last night. I look forward to meeting with the City Engineer regarding grate coverage for the wash tunnels. In the interim, I will speak to a highly regarded civil engineering firm that we use here at Wynn to understand what technologies other cities with similar issues are using. I will also be socializing the broader plan for the tunnels with my fellow Aventura residents at a HOA meeting next Tuesday.

As discussed, I will call Frank Schrek this morning to better understand (and then likely support) your proposal regarding the acquisition and re-zoning of green space land. Please can you tell me, to what email address should I direct my support?

Lastly, who do I need to bug in order to make sure that the park on Hualapai is closed on time, the bollards put up and the bathroom locked? As the Captain mentioned, I don't think it's in anyone's interest to have prostitution, drug use and overall mischief happening in that park at night. I actually stopped by the park just now on my way to the gym and spoke to Jason, a city employee responsible for opening the park. He told me that this morning was the first time he has ever see the car barriers closed upon his arrival and that he regularly sees cars in the park all early morning and day with people living out of their cars... that's right, living out of their cars... a major (and unacceptable) crime risk.

I look forward to seeing you again soon and have a great weekend!

Craig

Craig S. Billings
CFO
Wynn Resorts
craig.billings@wynnresorts.com

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account sseroka@lasvegasnevada.gov because you are an attendee of this event.

CLV000009

004258

8520

Exhibit 129



Mr. Peter Lowenstein
City of Las Vegas Department of Planning
333 North Rancho Dr.
Las Vegas, NV 89106

Re: 180 Land Co LLC ("Applicant") - Justification Letter for General Plan Amendment [SUBMITTED UNDER PROTEST] to Assessor's Parcel ("APN(s)") 138-31-601-008, 138-31-702-003, 138-31-702-004 (consisting of 132.92 acres collectively "Property") – from PR-OS (Park, Recreation and Open Space) to ML (Medium Low Density Residential) as part of applications under PRJ-71990, PRJ-71991, and PRJ-71992.

Dear Mr. Lowenstein,

We have been advised by Stephanie Allen, Esq. of Kaempfer Crowell, following a conversation she had with City Attorney Brad Jerbic, that the City of Las Vegas will not consider the above referenced applications at the Planning Commission meeting on December 12, 2017 unless a General Plan Amendment is filed. It was explained to Ms. Allen, that the basis for the City requiring the submission of a GPA application is an appeal filed by Frank Schreck on November 22, 2017. [Note – We have reviewed the "appeal". Notwithstanding that Mr. Schreck does not qualify as an "aggrieved" party, it is procedurally barred.]

This position now mandated by the City is blatantly contradictory to the positions previously taken by the City.

The City's imposition of a requirement to file a concurrent GPA application with pending applications is a violation of NRS 278.349(3)(e) which specifically contemplates inconsistent classifications between an existing zoning ordinance and the master plan at the time a governing body is considering final action on a tentative map and provides that in such an event, the zoning ordinance takes precedence. Further, there is no such requirement in Title 19 of the CLV Unified Development Code.

On June 21, 2017, the City's Staff Report for DIR-70539 [PRJ-70542] stated:

- *"Nevada Revised Statutes (NRS) Chapter 278.0349 states that where the zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence. The parties to this agreement acknowledge that the extant approved zoning and land use designations for this site do not match. The City may request a General Plan Amendment at a future date to make the land use and zoning designations consistent."*

On November 13, 2017, Peter Lowenstein, Acting Planning Director stated in an email:

"As discussed on the phone this morning and then again this evening City staff is requesting that a General Plan Amendment be submitted in conjuncture with the already submitted Waivers, Site Development Plan Review and Tentative Map applications. You had voiced concerns over the submittal of the application and so I proposed the following options:

PRJ-72218
11/30/17

004259

8522

1. *File the General Plan Amendment with a cover letter stating that you are filing the application in protest as you believe...(state your arguments to preserve rights) and the items be heard at the January 9, 2018 Planning Commission meeting.*
2. *Move forward with your current applications with the staff report indicating staff's request for the General Plan Amendment and your position to the request.*

Please let me know your thoughts and decision. Thank you.

*Peter Lowenstein
Acting Planning Director"*

On November 14, 2017, Todd D. Davis, Esq., sent an email to City Attorney Brad Jerbic (in response to the November 13, 2017 email from Peter Lowenstein requesting our election on how to proceed), asking:

"In order for us to make an election as requested by Peter's email below, can you please provide a specific statutory or ordinance citation that requires the submission of a GPA by a tentative map applicant under the subject land's existing zoning (either concurrently or subsequently)?"

[No response to this email was received from City Attorney Brad Jerbic.]

On November 21, 2017, Peter Lowenstein, Acting Planning Director, stated in an email to George Garcia:

"Thank you for your inquiries into the Projects PRJ-71990, PRJ-71991 & PRJ-71992. The Department of Planning has requested (not required) a General Plan Amendment to accompany the proposed projects. Pursuant to the Las Vegas Municipal Code the submitted application types should be consistent with the General Plan, however are not required through specific code language."

In response to Peter Lowenstein's request for an election to proceed under his Option #1 or #2, as outlined in his email, the applications were filed under Option #2. Subsequently, and in direct response to the invalid appeal filed by Frank Schreck, the City, after accepting the applications, has rescinded Option #2. As such, a GPA application is hereby being submitted, under protest, as being legally unnecessary for the reasons outlined within this letter.

This newly imposed requirement makes it clear that the intention of the City is improperly delay the applications.

Additionally, as a result of the City's inability to establish that it was properly established in the CLV 2020 Master Plan, on January 26, 2016, James J. Jimmerson, Esq. sent a letter to City Attorney Brad Jerbic objecting to the PR-OS land use designation on the property, and formally requesting that the City correct its records. As such, there is no basis for the City to request that the Applicant submit a GPA as the designation is illegal and inapplicable to the property.

This GPA, submitted under protest, is a request to bring the Land Use designation in conformance with the Property's zoning. For the reasons stated herein, as well as all other applicable protections afforded under Nevada law, the Applicant reserves all rights and remedies with respect to Applicant's objections to the City's mandate that the GPA be filed, and the applicability of the PR-OS designation with respect to the property.

//

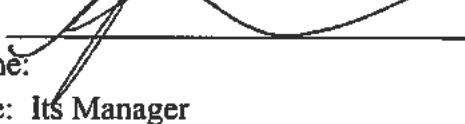
PRJ-72218
11/30/17

004260

8523

180 Land Co LLC,
a Nevada limited liability company

By: EHB Companies LLC
a Nevada limited liability company, its Manager

By: 
Name: _____
Title: Its Manager
Date: 11/30/17 _____

PRJ-72218
11/30/17

004261

8524

Exhibit 130

From: "Carolyn G. Goodman" <cgoodman@LasVegasNevada.GOV>

To: Brad Jerbic <bjerbic@LasVegasNevada.GOV>, Tom Perrigo <tperrigo@LasVegasNevada.GOV>

Cc: Lora Kalkman <lkalkman@LasVegasNevada.GOV>, Zachary Bucher <zbucher@LasVegasNevada.GOV>, Esthefany Arochi <earochi@LasVegasNevada.GOV>

Subject: FW: Badlands

Date: Thu, 30 Aug 2018 15:12:13 +0000

Inline-Images: image003.jpg



CAROLYN G. GOODMAN, MAYOR

Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: Bob Coffin <lvccouncilman@hotmail.com>

Sent: Wednesday, August 29, 2018 9:58 PM

To: Jerry Engel <jengellv@aol.com>; Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Steven Seroka <sseroka@LasVegasNevada.GOV>; Lois Tarkanian <ltarkanian@LasVegasNevada.GOV>; Stavros Anthony <santhony@LasVegasNevada.GOV>

Cc: Peter Angulo <pangulo@ocgas.com>; Bob Coffin <lvccouncilman@hotmail.com>; Susan Finucan <sfinucan@LasVegasNevada.GOV>; Felipe Ortiz <fortiz@LasVegasNevada.GOV>; Ydo Yturralde <yiturralde@LasVegasNevada.GOV>

Subject: Re: Badlands

Good evening, Jerry. Nice to hear again from my old friend but not on this horrible subject.

You should know that because of the EHB desperation to win at all costs they are suing me in federal court alleging that I should be disqualified from voting because I am anti-Semitic. There was a day when if someone said something so outrageous it got a laugh but nothing about these clown's efforts to ruin your lifestyle and my reputation is laughable.

Due to a clumsy attempt to intimidate some of us the greedeveloper asks for copies of all notes, emails, text messages, voice mails, social media and written notes and correspondence on the subject of Badlands. So, this one is eligible for him to see.

Can you believe these assholes?

I will certainly be voting for Steve Seroka's Open Space bill next Tuesday morning and in a subsequent City Council meeting. So, I will not stop fighting for you and your neighbors.

The EHB dirtballs will have to do more than slander me and my colleagues to try to overturn our efforts to defend you!..

Sincerely,

Bob Coffin

----- Original message -----

From: Jerry Engel <jengellv@aol.com>

Date: 8/29/18 9:38 PM (GMT-08:00)

To: cgoodman@lasvegasnevada.gov, lvccouncilman@hotmail.com, sseroka@lasvegasnevada.gov, ltarkanian@lasvegasnevada.gov, santhony@lasvegasnevada.gov

Subject: Badlands

My dear Council Friends,

Over two years ago I attended a presentation by Yohan Lowie showing we HOMEOWNERS of his plans to develop the Badlands. I was impressed with the quality shown, as I was with the quality shown by Mr. Lowie when he built the Queensridge Towers.

I was for him before I was against him...sound familiar.

Subsequent meetings revealed how Mr. Lowie deceived us in showing beautiful renderings of quality homes, with many green

004262
CLV283404

8526

areas near our homes which were in reality over 3,000 residences within 75 feet of our homes. Later he told us he could give us 25 more feet of space. That is when I realizes we had to stop him from ruining our neighborhood and way of life.

I welcome your coming to my home and seeing what Mr. Lowie was planning **100 FEET FROM MY HOME.**

Please vote YES on ordinance bill #2018-24.

Yours truly,

Jerry Engel
700 Pont Chartrain Dr.,
L.V. 89145

004263
CLV283405

8527

To: Tony Guarino[TGuarino@LasVegasNevada.GOV]
From: Vicki Ozuna
Sent: Tue 1/10/2017 7:10:01 PM
Subject: FW: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

When you were onsite did you look at the ponds?

-----Original Message-----

From: Tom Perrigo
Sent: Wednesday, December 07, 2016 1:33 PM
To: Vicki Ozuna
Cc: Karen Duddleston; Tony Guarino
Subject: RE: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

Thanks Vicki.

-----Original Message-----

From: Vicki Ozuna
Sent: Tuesday, December 6, 2016 3:04 PM
To: Tom Perrigo <tperrigo@LasVegasNevada.GOV>
Cc: Karen Duddleston <kduddleston@LasVegasNevada.GOV>; Tony Guarino <TGuarino@LasVegasNevada.GOV>
Subject: RE: Fire Hazard apn 138-31-702-002 BADLAND GOLF COURSE CITY OF LAS VEGAS

Code Enforcement has received two complaints addressing different issues with Badland Golf Course. One is concerning vegetation that it is alleged to be creating a fire hazard, and the other is regarding the well pump being down, and the course not being watered. The second issue came to me this morning from Councilman Beers.

Tony inspected the site and found nothing that is creating a fire hazard. He also looked at the ponds and areas of the course. He met with the well service who is repairing the pump, who advised Tony that the well has been down the last 30 days. The pump should be repaired by the end of today.

In order to determine what standards Code Enforcement can use for enforcement for the golf course, I reviewed the Peccole Ranch Master Plan Phase II and all development agreements/SDR's that were approved for this area.

There are no conditions mentioned that pertain to the maintenance of the open space/golf course area.

Since the property is zoned RPD-7 I believe UDC 19.06.040 Development Standards- Residential would apply. Specifically section 4b that states property owners are responsible for maintaining all landscaping in a healthy and vigorous living condition. Additionally 4c addresses replacement of dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices, could be applicable. I discussed the intent of this section of the code with Steve G. and he agrees that it could be used to require the property owner maintain the existing landscaping.

I have reviewed pictures that Tony G took Monday onsite and feel that if the property owner determines not to restore water to the property, then the ponds should all be drained as they are not able to be circulated to keep them from becoming stagnant. As this is an open area and adjacent residents are able to access the area, it would also be a safety concern for drownings. I think we would also want to include that they be kept water free for in the future so as not to become mosquito breeding grounds. This could be addressed under Nuisance 9.04.010 2) that addresses stagnant/polluted water.

As far as vegetation, under Nuisance 9.04, Code Enforcement can require that all grass and weeds be kept below 8" at all times and dead vegetation if it constitutes a fire hazard should be removed.

00426405549

8528

From: [REDACTED]
Location: 495 S. Main Street/7th Floor/Councilman Seroka's Office
Importance: Normal
Subject: Accepted: FW: [Confidential] Meeting with Craig Billings @ Wed Sep 26, 2018 09:00 - 10:00 (PDT) (Steven Seroka)
Start Date/Time: Wed 9/26/2018 4:00:00 PM
End Date/Time: Wed 9/26/2018 5:00:00 PM
[invite.ics](#)

333333333

Craig Billings has accepted this invitation.

FW: [Confidential] Meeting with Craig Billings

When: Wed Sep 26, 2018 09:00 – 10:00 Pacific Time – Los Angeles

Where: 495 S. Main Street/7th Floor/Councilman Seroka's Office ([map](#))

Calendar: Steven Seroka

Who:

- Steven Seroka - organizer
- Craig Billings - creator

-----Original Appointment-----

From: jvolmar@LasVegasNevada.GOV > On Behalf Of Steven Seroka
Sent: Monday, September 24, 2018 4:31 PM
To: Steven Seroka; Billings, Craig; Jerry Walker; Joseph Volmar; Marco Henry
Subject: Meeting with Craig Billings
When: Wednesday, September 26, 2018 09:00 AM-10:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: 495 S. Main Street/7th Floor/Councilman Seroka's Office

--Note that (jvolmar@LasVegasNevada.GOV) is an external email. Forward unfamiliar emails to WE Protect.--

Councilman

Thank you so much for taking the time to meet last night. I look forward to meeting with the City Engineer regarding grate coverage for the wash tunnels. In the interim, I will speak to a highly regarded civil engineering firm that we use here at Wynn to understand what technologies other cities with similar issues are using. I will also be socializing the broader plan for the tunnels with my fellow Aventura residents at a HOA meeting next Tuesday.

As discussed, I will call Frank Schrek this morning to better understand (and then likely support) your proposal regarding the acquisition and re-zoning of green space land. Please can you tell me, to what email address should I direct my support?

Lastly, who do I need to bug in order to make sure that the park on Hualapai is closed on time, the bollards put up and the bathroom locked? As the Captain mentioned, I don't think it's in anyone's interest to have prostitution, drug use and overall mischief happening in that park at night. I actually stopped by the park just now on my way to the gym and spoke to Jason, a city employee responsible for opening the park. He told me that this morning was the first time he has ever see the car barriers closed upon his arrival and that he regularly sees cars in the park all early morning and day with people living out of their cars... that's right, living out of their cars... a major (and unacceptable) crime risk.

I look forward to seeing you again soon and have a great weekend!

Craig

Craig S. Billings
CFO
Wynn Resorts
craig.billings@wynnresorts.com

Invitation from: [Google Calendar](#)

You are receiving this courtesy email at the account sseroka@lasvegasnevada.gov because you are an attendee of this event.

CLV000009

004265

8529

Andrea Cole

From: Peter Lowenstein <plowenstein@LasVegasNevada.GOV>
Sent: Tuesday, November 21, 2017 1:44 PM
To: George Garcia
Cc: Andrea Cole
Subject: RE: QR - Inquiry on Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4

Mr. Garcia,

Thank you for your inquiries into the Projects PRJ-71990, PRJ-71991 & PRJ-71992. The Department of Planning has requested (not required) a General Plan Amendment to accompany the proposed projects. Pursuant to the Las Vegas Municipal Code the submitted application types should be consistent with the General Plan, however are not required through specific code language.

The three before mentioned projects are scheduled for the December 12, 2017 Planning Commission meeting. The projects are all to be heard as public hearing items at that meeting. Neighborhood meetings are not required for the proposed application types pursuant to the Las Vegas Municipal Code Title 19, nor has the applicant indicated that they will be holding any prior to the December 12, 2018 Planning Commission meeting.

Once again, thank you for your inquiries and have a happy Thanksgiving.

Sincerely,

Peter Lowenstein
Acting Planning Director
Department of Planning
702-229-4693 Office | 702-474-7463 Fax
333 N. Rancho Drive, 3rd Floor, NV 89106



lasvegasnevada.gov



From: Andrea Cole [mailto:acole@gcgarciainc.com]
Sent: Monday, November 20, 2017 3:41 PM
To: Peter Lowenstein
Cc: George Garcia
Subject: QR - Inquiry on Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4

Good Afternoon Peter,

Please see the attached letter regarding an inquiry on the Tentative Map and SDR Applications - Badlands Parcels 2, 3, & 4. We would appreciate a response to the questions included.

If you have any questions please feel free to contact me at the number listed below.

Thanks and Best Regards.

To: alejandro garcia[agarcia@LasVegasNevada.GOV]; Crystal H. Makridis[cmakridis@LasVegasNevada.GOV]; Nashira Ling[nling@LasVegasNevada.GOV]; rafiq ali[ralfi@LasVegasNevada.GOV]; Sandy Gravseth[sgravseth@LasVegasNevada.GOV]; Victor Ravelo[vavelo@LasVegasNevada.GOV]

From: Lauren E. Storla

Sent: Tue 6/27/2017 8:47:09 PM

Subject: Badlands

If anyone sees a permit for grading or clear and grub at the **Badlands** Golf Course, please see Kevin, Rod, or me. Do Not Permit without approval from one of these three.



Lauren Storla | Senior Permit Technician
Building & Safety
333 N. Rancho Drive, Las Vegas, NV 89106
702-229-5460

lasvegasnevada.gov



[City of Las Vegas Building & Safety](#)

Your opinion is important! Click [here](#) to take a short survey.

This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is prohibited. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

00426706185

8531

To: Jorge Cervantes[JCervantes@LasVegasNevada.GOV]
From: Sara Garcia
Sent: Thur 5/11/2017 10:11:24 PM
Subject: RE: Key/Burning Issues: Week of May 8

For your review/approval:

Key/Burning Issues: - Week of May 8

BUILDING & SAFETY:

Customer Service:

- No new issues this week to report to Council – continuing to train and prepare for implementation of INFOR. We are reaching out to frequent customer to invite them to see the new web functions of the program.

Inspections/Permits:

- No new issues this week to report to Council – continuing to train and prepare for implementation of INFOR

OIT/Lab:

- Began Integrated Systems Testing for the INFOR10 application and associated web functions.

PLANNING:

BUSINESS LICENSING:

- **Cannabis Wedding Chapel** – A search warrant was issued on the Cannabis Wedding Chapel for issuing fraudulent medical marijuana cards and on-site consumption. The licenses for this establishment are temporary and will be suspended.
- **Cox Cable Audit** – Final settlement \$1.3 million.
- **Safari Motel** – The judge has continued the case brought by the City to declare the motel a chronic nuisance for a week. The property failed the inspection of May 9, 2017 by Code Enforcement and Licensing has issued notice to the owner that Licensing will not be renewing the license on May 30, 2017 unless the motel addresses the violations. The judge allowed the owner until May 30 to complete improvements and alleviate the activity occurring on the property.
- **Guerrero Tires** - BL compliance assisted Metro Narcotics immediately following service of Metro's search warrant on Thurs. May 4. This is 1845 N. Rancho and one of two locations for Guerrero (I don't know whether the second location is in the city). Guerrero is one of two owners and was arrested immediately on felony charges of controlled substances sales and possession of illegal firearms (shotguns with silencers, e.g.). Meth and cocaine were found on the premises, along with large amounts of cash. Metro is investigating the co-owner, probably Guerrero's wife. It appears unlikely at this time that the shop will reopen because Guerrero is in custody. In addition, the landlord will be evicting Guerrero. We have not found the location open since the time of search warrant execution last week.

PLANNING:

Badlands Golf Course

- An agreement between all three parties has been reached.
- Applications for the June PC item will be submitted this week.

Renaissance (Northern portion of Boca Park)

004268
CEV006401

8532

To: Bob Coffin (lvccouncilman@hotmail.com)[lvccouncilman@hotmail.com]
Cc: Susan Finucan[sfinucan@LasVegasNevada.GOV]; Felipe Ortiz[fortiz@LasVegasNevada.GOV]; Maria Jose Norero[mnorero@LasVegasNevada.GOV]
From: Felipe Ortiz
Sent: Tue 6/6/2017 9:42:41 PM
Subject: Notes from today's briefing

Hello Councilman,

Of importance on the City Council Agenda for tomorrow.

Item 46 – Bed and Breakfast Bill for licensing and zoning.

Lois Tarkanian told the morning group that she will be making a Motion to send the Bill back to the June 19 Recommending Committee meeting for amendments and then back to City Council on June 21.

Item 48 – Bill 2017-27 “Development Agreement for Two Fifty” or Badlands will be introduced as a new Bill tomorrow. Brad reported that there is resolution on most matters and the entire area.

This item and matter should be considered a hearing and per Brad Jerbic in no circumstance should you tip the way that you are going to vote, as a pre-judgement comment on a quasi-judicial hearing could trigger legal action.

There will be another briefing on the almost Final and Revised Amended Development Agreement with respect to Badlands and will go to a final vote on June 21, 2017, no matter what.

Item 51 - is Vegas Antiques and your item for a hearing on the sign on the roof and the storage container in the back of the lot which has electricity.

Item 55 and 56 Ward 1 will be abeyed.

Felipe

004269
005250

8533

To: Ervin Kral[ekral@LasVegasNevada.GOV]
From: David F. Klein
Sent: Wed 12/20/2017 10:44:29 PM
Subject: Badlands

Just for giggles, can we update the numbers you provided for calls in the Summerlin Village Paesos II for 2016 and 2017 I figure evenif the Badlands site is gogin to be about 1000 homes less it can show that the hand full of calls we get will not be any impact.

David F. Klein

Deputy Fire Marshal | Fire Protection Engineering
Las Vegas Fire & Rescue, Fire Prevention Division
333 N. Rancho Drive, #500, Las Vegas, NV 89106
Direct: 702-229-0336 | Cell 702-303-0720



lasvegasnevada.gov



004270
CLV005094

8534

Exhibit 131

Scott D Widney

CITY COUNCIL MEETING OF
FEBRUARY 15, 2017
VERBATIM TRANSCRIPT – ITEMS 100-102

- 1 **ITEM 100 - GPA-62387 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT -**
2 **PUBLIC HEARING - APPLICANT/OWNER: SEVENTY ACRES, LLC - For possible**
3 **action on a request for a General Plan Amendment FROM: PR-OS**
4 **(PARKS/RECREATION/OPEN SPACE) TO: H (HIGH DENSITY RESIDENTIAL) on**
5 **17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard (APN 138-32-**
6 **301-005), Ward 2 (Beers) [PRJ-62226].**
- 7 **ITEM 101 - ZON-62392 - ABEYANCE ITEM - REZONING RELATED TO GPA-62387 -**
8 **PUBLIC HEARING - APPLICANT/OWNER: SEVENTY ACRES, LLC - For possible**
9 **action on a request for a Rezoning FROM: R-PD7 (RESIDENTIAL PLANNED**
10 **DEVELOPMENT - 7 UNITS PER ACRE) TO: R-4 (HIGH DENSITY RESIDENTIAL) on**
11 **17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard (APN 138-32-**
12 **301-005), Ward 2 (Beers) [PRJ-62226].**
- 13 **ITEM 102 - SDR-62393 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW**
14 **RELATED TO GPA-62387 AND ZON-62392 - PUBLIC HEARING -**
15 **APPLICANT/OWNER: SEVENTY ACRES, LLC - For possible action on a request for a**
16 **Site Development Plan Review FOR A PROPOSED 720-UNIT MULTI-FAMILY**
17 **RESIDENTIAL (CONDOMINIUM) DEVELOPMENT CONSISTING OF FOUR, FOUR-**
18 **STORY BUILDINGS on 17.49 acres at the southwest corner of Alta Drive and Rampart**
19 **Boulevard (APN 138-32-301-005), R-PD7 (Residential Planned Development - 7 Units per**
20 **Acre) Zone [PROPOSED: R-4 (High Density Residential)], Ward 2 (Beers) [PRJ-62226].**

21

22 **Appearance List:**

- 23 CAROLYN GOODMAN, Mayor
24 CHRIS KAEMPFER, Attorney for the Applicant
25 BRAD JERBIC, City Attorney
26 STEPHANIE ALLEN, Attorney for the Applicant
27 LOIS TARKANIAN, Councilwoman
28 TOM PERRIGO, Director of Planning

**CITY COUNCIL MEETING OF
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VERBATIM TRANSCRIPT – ITEMS 100-102**

- 29 RICKI BARLOW, Councilman
- 30 SHAUNA HUGHES, representing Queensridge Homeowners Association
- 31 FRANK PANKRATZ, Queensridge resident
- 32 BOB COFFIN, Councilman
- 33 MICHAEL BUCKLEY, Las Vegas, Nevada
- 34 FRANK SCHRECK, Queensridge resident
- 35 GEORGE GARCIA, Henderson, Nevada
- 36 DAVID MASON, Queensridge resident
- 37 ALICE COBB, President of the Board for One Queensridge Place Homeowners Association
- 38 ELAINE WENGER-ROESENER, President of the Queensridge Homeowners Association
- 39 HERMAN AHLERS, Queensridge resident
- 40 KRIS ENGELSTAD-MCGARRY
- 41 RON IVERSEN, Queensridge resident
- 42 DALE ROESENER, Queensridge resident
- 43 ANNE SMITH, Queensridge resident
- 44 PAULA QUAGLIANA, Queensridge resident
- 45 GORDON CULP, Queensridge resident
- 46 STEVE SEROKA, Queensridge area resident
- 47 DUNCAN LEE, Queensridge resident
- 48 RAJ OPAL, Queensridge resident
- 49 DEBRA KANER, Queensridge resident
- 50 RAY STAZZONI, Queensridge resident
- 51 LUANN D. HOLMES, City Clerk
- 52 TIM MCGARRY, Queensridge resident

**CITY COUNCIL MEETING OF
FEBRUARY 15, 2017
VERBATIM TRANSCRIPT – ITEMS 100-102**

- 53 TERRY HOLDEN, Queensridge resident
- 54 CLYDE TURNER, Queensridge resident
- 55 LOUISE FRANCOEUR, Queensridge resident
- 56 TOM LOVE, Queensridge resident
- 57 STEVE CARIA, Queensridge resident
- 58 STEVEN ROSS, Mayor Pro-Tem
- 59 LARRY SADOFF, Queensridge resident
- 60 PATRICK SPILOTRO, Silverstone Ranch resident
- 61 SALLY BIGLER, Queensridge resident
- 62 LEN SCHWIMMER, Queensridge resident
- 63 CHRISTINA ROUSH, Queensridge resident
- 64 PETER KOVACS, Queensridge resident
- 65 STEVE SHAW, Queensridge resident
- 66 IRENE LEE, Queensridge resident
- 67 JULIETTA BAUMAN, Board Member of Queensridge Home Owner's Association
- 68 FRANCISCO AGUILAR, General Counsel for Agassi Enterprises
- 69 TERRY MURPHY, on behalf of the Frank and Jill Fertitta Trust
- 70 BOB PECCOLE, Queensridge resident
- 71 FRANK MONTELLO, Queensridge resident
- 72 RUSSELL ROWE, on behalf Suncoast Hotel & Casino and Boyd Gaming Corporation
- 73 JAMES JIMMERSON, Queensridge resident
- 74 STAVROS ANTHONY, Councilman
- 75 YOHAN LOWIE
- 76 BOB BEERS, Councilman

**CITY COUNCIL MEETING OF
FEBRUARY 15, 2017
VERBATIM TRANSCRIPT – ITEMS 100-102**

77 (5:03:02 – 9:14:07)
78 (4 hours and 11.08 minutes)
79
80 Typed by: Speechpad.com
81 Proofed by: Patty Hlavac and Ashley Foster

**CITY COUNCIL MEETING OF
FEBRUARY 15, 2017
VERBATIM TRANSCRIPT – ITEMS 100-102**

82 **MAYOR GOODMAN**

83 Only an hour late. Agenda Items 100 through 102.

84 Agenda Item 100, GPA-62387 on a request for a General Plan Amendment from PR-OS
85 (Parks/Recreation/Open Space) to H (High Density Residential); 101, ZON-62392 on a request

86 for rezoning from R-PD7 (Residential Planned Development - 7 Units Per Acre) to R-4 (High

87 Density Residential); and Agenda Item 102, SDR-62393 on a request for a Site Development

88 Plan Review for a proposed 720-unit multi-family residential condominium development

89 consisting of four four-story buildings. The Applicant/Owner is Seventy Acres, LLC on

90 17.49 acres, the southwest corner of Alta Drive and Rampart Boulevard, R-PD7 (Residential

91 Planned Development - 7 Units Per Acre), Zone proposed R-4 (High Density Residential).

92 The Planning Commission and Staff recommend approval on all items. These are in Ward 2 with

93 Councilman Beers, public hearing items which I declare open. Is the Applicant or representative
94 president?

95

96 **CHRIS KAEMPFER**

97 Yes, Your Honor. Chris Kaempfer and Stephanie Allen here on behalf of the Owner and

98 Applicant. Also, should you have questions appropriate for their consideration; we have our

99 traffic folks in the audience. We have Mr. Pankratz here, Mr. Lowie as well, Greg Borgell. So

100 we're all here if there's any question that needs to be answered that Stephanie and I do not have
101 an answer for.

102

103 **BRAD JERBIC**

104 If I could before Mr. Kaempfer begins his presentation, Your Honor, I need to bring to

105 everybody's attention that Councilman Barlow has a flight tonight, where he has to be at the

106 airport for check-in at 6:30, which means he has to leave City Hall no later than 6:00 p.m. So

107 that's two hours. I'm saying it because I was there, as you all know, last night. It went well over

108 two hours, because there were legal presentations and stuff like that. So I'm bringing it to the

109 Mayor's attention so that when people ask for time to speak and make their presentation, keep in

110 mind that we're going to probably lose Councilman Barlow after 6:00.

**CITY COUNCIL MEETING OF
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111 **CHRIS KAEMPFER**

112 Thank you very much, Mr. Jerbic. I'm sure I do not have to remind you that , okay. I'll slow down
113 a little bit. Okay.

114

115 **MAYOR GOODMAN**

116 Well, sometimes speed helpful.

117

118 **CHRIS KAEMPFER**

119 But I appreciate that very much, and I will be as quick as I can and Stephanie, actually, is just
120 supplementing some of the comments I'm making. So we'll be brief.

121 I'm sure I do not have to remind you that the last time we met on this exact same item, we had a
122 seven-hour hearing, something that we are not going to duplicate tonight, I trust, after which, at
123 the request of Your Honor, the item was continued for further discussions to be held between
124 Mr. Frank Pankratz and Ms. Shauna Hughes.

125 The purpose of those discussions were to hopefully reach some kind of universal resolution to
126 this issue. Those discussions have occurred, and they are continuing to take place, but no such
127 resolution has yet happened. That does not mean that with regard to the project before you today
128 that we have not been honoring the admonition of Your Honor to work in good faith, and I can
129 honestly say that we have.

130 And it certainly does not mean that we have not been listening to the dictates of Councilman
131 Beers or the legal opinion of Mr. Jerbic or the opinions and recommendations of Mr. Perrigo and
132 Mr. Lowenstein. My grandfather used to tell me, in German, of course, right after he would hit
133 me in the back of the head, that you don't have to hit a good mule twice. And we would hope
134 that, in that same spirit of understanding and cooperation, we have listened to Councilman Beers,
135 who has told us unequivocally that we have to significantly reduce the density of our previously
136 proposed project.

137 In that same vein, we've also listened to Mr. Jerbic, Mr. Perrigo, and Mr. Lowenstein, who
138 emphasized to us and to the neighbors and to anyone who took time or interest to listen that the
139 importance of compatible and comparable zoning. We have also listened to our immediate

**CITY COUNCIL MEETING OF
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140 neighbors, who have expressed concerns about traffic, height, density, schools, and for rent as
141 opposed to for sale condominiums.
142 And as a consequence, Your Honor and members of the Council, and especially Councilman
143 Beers and Mr. Jerbic, as a result of that, all of that listening, we are advising you today that, as
144 required by Councilman Beers, we are hereby reducing the number of units in this project from
145 the 720, for which we applied and for which Planning Commission granted approval, to 435.
146 That is a reduction of nearly 300 units from the project we originally proposed.
147 In addition and to address both the concerns raised by Councilman Beers and by our neighbors,
148 especially and more importantly the neighbors in the Towers, who are the only ones immediately
149 adjacent to this project, we have changed this project to a for sale condominium development
150 and not a for rent development.
151 So it went from 720 units to 435 and from for rent to for sale. And those are requirements that
152 were imposed on us, I'd like to say that we accepted those graciously, but they were requirements
153 that were imposed on us by Councilman Beers.
154 Now, to address the comments made by Mr. Jerbic, Mr. Perrigo, and Mr. Lowenstein throughout
155 this entire Queensridge zoning process, the reduction to 435 units means that the density of our
156 project will be 24.9 units per acre, and that density will match precisely and exactly the density
157 of the Queensridge Towers, which is our immediate neighbor to the west, as you can see and
158 Stephanie can explain. Why don't you explain what those numbers are?

159

160 **STEPHANIE ALLEN**

161 Sure. If we can have the overhead, please, that would be great. There we go. This exhibit shows
162 the density of One Queensridge Place, Phase I and Phase II. The original Phase I density was
163 24.4 units per acre. Phase II was 25.5 units per acre, which equates to an overall density of 24.9
164 units to acre, which is exactly what we're requesting today with the reduction.

165

166 **CHRIS KAEMPFER**

167 The size of the acreage involved here is 17.49 acres. When you take that times 24.9, it reaches
168 the 435. Why is that important? Because it achieves the exact compatibility and comparability

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169 which your legal counsel and your Planning Department have emphasized time and time again,
170 to anyone who will listen, as being the standard by which appropriate zoning is to be measured.
171 It's also important to note that this 24.9 units per acre is the same density as the Towers, despite
172 the fact that our project is closer to Rampart and closer to Alta. It is a standard zoning practice
173 that we have seen, all of us have seen implemented time and time again, that the closer you get to
174 a major street, the density increases from what is away from it. In this particular case, that is not
175 the case. The density is the same.

176 Now, to address the concern of height raised by our Tower neighbors, we are agreeing to keep
177 the height of the structure at no higher than the height of the podium of the Towers. And again,
178 Ms. Allen can point out we have two very brief slides to show you.

179

180 **STEPHANIE ALLEN**

181 So One Queensridge Place, the elevation of the podium is 2,748. You can see here the highest
182 point here on this project, because of the significant elevation change, the highest point is 2748.
183 So it will remain blow the podium to protect the views of the residents of One Queensridge
184 Place.

185

186 **CHRIS KAEMPFER**

187 And that also shows another.

188

189 **STEPHANIE ALLEN**

190 This is just a rendering showing generally what the corner would look like with that elevation
191 change and, again, the protection of the views to the residents.

192

193 **CHRIS KAEMPFER**

194 So again, and I think that's very important, the neighbors to our immediate west will have a
195 development no higher than the podium.

196 Now, to address the concerns of traffic, all traffic for the project will enter and exit on Rampart

**CITY COUNCIL MEETING OF
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197 Boulevard so as to eliminate concerns from those who are concerned about ingress and egress
198 on Alta. There will be no access on Alta.
199 We have met with a representative of Suncoast, Mr. Rowe, and we have agreed that at such time
200 as we do show a plan, hopefully there will still be talks discussing some universal resolution, and
201 at such time as there is an access, ingress or egress point on Alta, we agree to not just work with
202 the Suncoast, but make sure that that traffic study is part of the public hearing process that comes
203 before you. We also agree to keep Mr. Rowe and anyone else who's interested in these traffic
204 issues up to speed on anything and everything as we work through this process.
205 In that regard, though, I do need to mention that we have had a traffic study done on this, and it
206 was approved for not just the 720 and more. It was approved for the 3,080 units. So, obviously,
207 this 435 units fits well within the traffic study as previously approved.
208 I think it's important, let's go back and show the ingress and egress points and, Stephanie, maybe
209 you can explain it.

210

211 **STEPHANIE ALLEN**

212 Sure. So the access point will be, as Chris mentioned, on Rampart. This will be a right in, right
213 out access point, and there will be just left turn access into the property if you're heading north
214 on Rampart. So access will be limited to this location, as Chris mentioned, nothing on Alta
215 except for an emergency crash gate right here.

216

217 **MAYOR GOODMAN**

218 Is there a light there?

219

220 **STEPHANIE ALLEN**

221 There is not.

222

223 **MAYOR GOODMAN**

224 Okay, just a question. Thank you.

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225 **CHRIS KAEMPFER**

226 To address the concerns of schools, Stephanie Allen has had conversations over this whole
227 process with the School District as recently as this week. And while we are continuing to talk
228 with the School District, Stephanie can indicate to you what the School District has advised with
229 regard to this particular project.

230

231 **STEPHANIE ALLEN**

232 I spoke with Agnes Hanley, who's their counsel, and have continued to have dialogue with her
233 through the process. She understands that this plan is moving forward today. She understood
234 there is a possibility density could be reduced and was not concerned at the moment, from an
235 impact standpoint, with the 435, much less the 720 units. She also understood the Planning
236 Commission item that went forward last night, which was 61 homes within the golf course.
237 Again, they're monitoring this application. We've told them we'll continue to keep them involved.
238 Should we come back with a global plan, then they certainly will want to meet with us further
239 and discuss the impacts that the project would have on the School District.

240

241 **COUNCILWOMAN TARKANIAN**

242 Could I just ask? I couldn't hear part of that. Are you saying that the School District now feels
243 they can handle those students, or are you saying that they'll have a plan for handling them?

244

245 **STEPHANIE ALLEN**

246 She said they're just monitoring at the time, so they're not concerned with the proposed units that
247 we have today. But should we come back with more units and a global plan, then they want to be
248 at the table to discuss whether they need additional resources.

249

250 **CHRIS KAEMPFER**

251 Your Honor, just a couple of final points as I want to keep with Mr. Jerbic's suggestion that we
252 move this right along. It's no secret that more than a few of the businesses that were operating in
253 the area surrounding Queensridge have either left or decided to go, not renew their leases at this

**CITY COUNCIL MEETING OF
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254 point in time. They've gone to places like Downtown Summerlin or whatever, and I want to show
255 you a, we haven't got the renderings yet, have we?

256

257 **STEPHANIE ALLEN**

258 Here's one.

259

260 **CHRIS KAEMPFER**

261 I just want to show you something. Where Queensridge is and all of these other uses that are
262 around it, all of these businesses: Boca Park, Suncoast, Tivoli, Renaissance, the Rampart
263 Commons, all of these will benefit from the additional residences that come into this
264 neighborhood. There's no question that commercial benefits from residential and residential goes
265 essentially where it needs to, to support that commercial. So working together is something I
266 think that will be of great benefit to the City.

267 I also want to show you the renderings of this. We previously showed you these, but again, since
268 this is doing the hearing again, this is the structure. The inspiration for this is the Parisian French
269 mansard style you'll see with the roofs. Then that's the inspiration, and this is the actual rendering
270 of the building that is proposed to go there.

271 Now, I know it was and is everyone's intention to achieve global development. But the
272 development before you today must stand on its own merits. It would be unfair, candidly, to treat
273 it otherwise. Before, when the density was 720 rental units and all the questions persisted, it was
274 one thing to make this relatively small 17.49 acres interdependent on the development of 250
275 acres. But now this development matches perfectly the density of its most immediate neighbor.
276 Now that we know it is for sale and not for rent, exactly like its immediate neighbor, now that we
277 know that the height will remain exactly as previous proposed, despite the nearly 40% reduction
278 in density, now that we know that schools are not overly concerned at this point in time with this
279 particular development, now that we know that traffic issues can easily be addressed, now that
280 we know that this project meets your City Attorney's and your Planning Director's definition of
281 comparable and compatible zoning and that is why it carries with it Staff recommendations of
282 approval and Planning Commission recommendations of approval, that this development is
283 entitled to be judged on its own, its standalone merits.

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284 We have something we want to show you here. Just to show you why this is standalone, that is
285 the location of what are now the 435 units. Stephanie can read to you the distances from the
286 various projects or people that might be affected by it.

287

288 **STEPHANIE ALLEN**

289 So just to orient you, this is Alta and Rampart, the 17.49 acres. Immediately to the north is the
290 One Queensridge Place. The closest furthest point on the property to Tudor Park is 1,030 feet
291 away. The closest point to the development in the northern portion of the Queensridge golf
292 course is 1,645 feet away. In the center of the property is 2,035 feet away, and to the
293 southernmost closest point of the property is 1,475 feet. So it's a significant difference,
294 significant elevation change and an appropriate use of the corner of Alta and Rampart.

295

296 **CHRIS KAEMPFER**

297 And you can see that it's nestled on its own. It's its own project deserving of its own
298 consideration.

299 Now, one final point. I want you for one minute forget that this is Queensridge. I want you to
300 forget the history. I want you to forget the fact that this was once a golf course. I want you to
301 forget all the legal issues that have been and will be thrown at you from both sides. Forget the
302 acrimony that exists, unfortunately, on both sides. Very respectfully, and I mean very
303 respectfully, you have never let legal disputes get in the way of your City Council decisions on a
304 zoning manner. You never have.

305 In all the years I've been here, you've never had somebody give any. They may be right, but you
306 never give them credit when they come up and they say they can't develop the property because I
307 have an easement on it, or there's a promissory note that secures it, or, I have a right to enter it, or
308 anything. Your City Attorney says, the County Attorney says, everybody says those are legal
309 issues which are not to be addressed here. This is a zoning board, and it has to look at zoning.
310 So I'm asking you this. Forget all of those things. Forget all the things you're going to hear on
311 this side. Forget what you're going to hear from our side.

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312 If somebody were to come to you and say, I have a project that matches exactly the density of the
313 existing project right next to it. I have a project that your Staff is recommending approval on, that
314 your Planning Commission recommended approval on, that your traffic study has approved,
315 that's lower in height than the parcel next to it, and it's closer to main street, if anybody stood up
316 and said, I object to it, you'd say, why? It meets all the requirements of a project that needs to be
317 approved.

318 And we would respectfully ask that this project stand on its own merits and be approved that
319 way. Thank you very much.

320

321 **MAYOR GOODMAN**

322 Thank you.

323

324 **STEPHANIE ALLEN**

325 Thank you.

326

327 **BRAD JERBIC**

328 Mr. Kaempfer, before you walk away -

329

330 **MAYOR GOODMAN**

331 Thank you. Excuse me.

332

333 **BRAD JERBIC**

334 - I don't know if I've taken this out of sequence or not, and if you'd rather address it later, just let
335 me know, but in doing so and reducing your unit count from 720 to 435, are you amending your
336 applications under 100 from high density as a GPA to medium, and are you amending your
337 application under 101 from R-PD4 to R-PD3? Or would you rather address that later?

338

339 **CHRIS KAEMPFER**

340 I'll address it whenever you want to address it.

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341 **BRAD JERBIC**

342 If they're going to be amended, I think there's some value in the individuals who are about to
343 speak in knowing what it is they're speaking about. So if there is an intention to amend those
344 applications, I think this would be a better time to do it.

345

346 **CHRIS KAEMPFER**

347 Absolutely. R-3, by going to R-3, it guarantees that there can be no higher density, obviously,
348 than the 25 units, 24.9, whatever it is. With regard to the high, the only concern we have about
349 the reduction of the high is if we do reach some kind of global settlement, we don't want the
350 argument to be made that, well, you have medium on Rampart, so off of Rampart, even though
351 we'd like to help you out, we can't let you have higher density on the center of that 70 acres. So if
352 that's not really a concern, then we would agree to go the M and the R-3.

353

354 **BRAD JERBIC**

355 Let me see, Mayor, if I can make a record on that, because without going into details of
356 confidential discussions that we're having right now, we have not obviously reached a new
357 development agreement and densities have not been agreed to. And this particular piece may
358 well change as we wade into that discussion.

359 It may become more desirable for higher density, in which case I'll make a record that the
360 applicants can certainly come back later, if that is the case, as part of a global agreement and ask
361 for higher density. They can also come back, as part of a global agreement, and ask for high
362 density next to this medium density, but those are all things that are very premature right now.
363 But I will make a record that your amendment today would not preclude you from doing either
364 of those things in the future, subject, of course, to Council discretion.

365

366 **CHRIS KAEMPFER**

367 Your Honor, Councilman Beers, if that's something that you feel is important, all of the members
368 of the Council, obviously, but especially you as the Mayor here and Councilman Beers as your
369 ward and based on what Mr. Jerbic's representations are, I would accept that with the

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370 understanding that hopefully that's received by neighbors in the good faith that it's being offered
371 by us. So it would be medium and R-3 with the understandings, as Mr. Jerbic has just explained
372 it, that if part of the global discussions that can be modified there or would be modified if it was
373 in the best interests of the neighbors to modify it there. Otherwise, if that didn't occur, then it
374 would stay exactly as you're representing R-3 and M.

375

376 **BRAD JERBIC**

377 If I can go further then. So, for the purposes of everybody participating in today's discussion,
378 you'll be commenting on amended applications 100 from H to M and application or Item 101
379 from R-4 to R-3.

380 Second, the exhibits that you had said the 720. I know you didn't have time to correct them, but
381 the 720 is really the 435 now. Is that correct?

382

383 **STEPHANIE ALLEN**

384 Correct.

385

386 **BRAD JERBIC**

387 And I can also state for the record that your exterior elevations that have been part of the website
388 and other things for the last several months have not changed. Is this the number of units on the
389 inside of that very same building that have been reduced from 720 to 435?

390

391 **STEPHANIE ALLEN**

392 Correct.

393

394 **BRAD JERBIC**

395 Very good.

396

397 **CHRIS KAEMPFER**

398 That is absolutely correct.

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399 **BRAD JERBIC**

400 I hope that's clear for everybody in the audience who's listening so that you don't — if you
401 wonder why at the very end there's a vote on an SDR and there isn't a new SDR, it's because the
402 building on the exterior is the same, it's merely the unit count on the inside that isn't. It's 435, not
403 720. And if that's clear enough for everybody, Your Honor, I'll turn it back over to you to finish
404 the public hearing.

405

406 **CHRIS KAEMPFER**

407 And Your Honor, if I may just follow up, and that means we don't have to come back if we're
408 changing the interior of the building. We can do that administratively, I assume, with your
409 Planning Staff as opposed to come back to a new hearing that shows 435 units instead of 720.

410

411 **MAYOR GOODMAN**

412 You're speaking interior?

413

414 **TOM PERRIGO**

415 Your Honor, yes. That's correct. As long as we're only talking about a revised floor plan and
416 nothing to do with the elevations or the layout of the building, the landscaping, any of that stuff,
417 yeah, that can be just an administrative review of change of the floor plan.

418

419 **MAYOR GOODMAN**

420 Thank you very much.

421

422 **CHRIS KAEMPFER**

423 Thank you, Your Honor. That concludes our presentation.

424

425 **STEPHANIE ALLEN**

426 Just one further comment.

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427 **CHRIS KAEMPFER**

428 Apparently it didn't.

429

430 **STEPHANIE ALLEN**

431 If we could please incorporate everything that happened at the last hearing into this record, we'd
432 like to make sure that that's part of the record, the November 16th City Council hearing.

433

434 **MAYOR GOODMAN**

435 Yes, please.

436

437 **BRAD JERBIC**

438 And if you wanted, I can say this to the neighborhood as well, if everybody wants to incorporate
439 the legal arguments from last night's presentation into this for preservation of a record, I think
440 that's fine too. It may not save a lot of time, but that might also make sure that you have belt and
441 suspenders on this.

442

443 **STEPHANIE ALLEN**

444 We would be fine with that.

445

446 **CHRIS KAEMPFER**

447 Thank you all very much.

448

449 **STEPHANIE ALLEN**

450 Thank you very much.

451

452 **MAYOR GOODMAN**

453 Well, I thank you. And Mr. Pankratz, Shauna Hughes, I -

454

455 **COUNCILMAN BARLOW**

456 Ma'am.

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457 **MAYOR GOODMAN**

458 - Yes?

459

460 **COUNCILMAN BARLOW**

461 I'm sorry. Before they leave, because I want to make sure because there's a lot of technicalities
462 that were just thrown out. And I just ask Planning to clarify, while the Applicant is here, because
463 I know that there's a 50 percent threshold as it relates to adjustments of plans, tentative maps,
464 specifically as it relates to the footprint. So we need to make sure that that's spelled out and not
465 misquoted.

466

467 **TOM PERRIGO**

468 Thank you. Your Honor, through you, Councilman, that 50 percent, and Mr. Lowenstein is
469 looking up the code references in relation to SUPs and the footprint of the area the SUP is for,
470 but in relation to a site plan, what I heard was that the footprint, the elevations, the landscaping,
471 everything about the site plan will stay exactly the same with one exception, the layout, interior
472 layout of the units where there's a one-bedroom or where there's two one-bedrooms, now there
473 will be one two-bedroom and that sort of thing. That is something that can be done
474 administratively.

475

476 **COUNCILMAN BARLOW**

477 So we're talking about the interior of the structure, meaning pony walls can come down in order
478 to increase the percentage of space inside of a unit.

479

480 **TOM PERRIGO**

481 That's my understanding of what they said that instead of two 500 square foot one-bedroom
482 units, there will be 1,000 square foot two-bedroom unit, for example. That's what I heard
483 technically.

484

485 **COUNCILMAN BARLOW**

486 Okay. So I pose that because I want to make sure that everyone is -

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487 **CHRIS KAEMPFER**

488 The inside amenities may change as well. If you have 435 for sale, you may offer more and
489 different amenities to people who are buying than you necessarily would people who are renting.
490 But the inside of the structure is what we would be playing with, not the outside of the structure
491 or the look of it or the landscaping around it.

492

493 **COUNCILMAN BARLOW**

494 - so the footprint of the size and scale of the structure won't be affected, won't change.

495

496 **STEPHANIE ALLEN**

497 Correct.

498

499 **COUNCILMAN BARLOW**

500 I just wanted to make sure that was clear because of that 50 percent threshold. Thank you.

501

502 **CHRIS KAEMPFER**

503 Thank you, Councilman.

504

505 **STEPHANIE ALLEN**

506 Thank you.

507

508 **MAYOR GOODMAN**

509 I want to thank you very much. We're going to hear from Ms. Hughes here and Mr. Pankratz. I
510 don't know if it's a miracle taking place, but I think there might be a small miracle here and I
511 want to thank you. You can brag about this hopefully going forward as you did at Anthem. So
512 this would have been a higher mountain to climb. So -

513

514 **SHAUNA HUGHES**

515 Mayor, if you would indulge me for three minutes, I'd like to read the comments into the record
516 that I planned to meet before the announcement -

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517 **MAYOR GOODMAN**

518 - only after you say your name.

519

520 **SHAUNA HUGHES**

521 - okay. Shauna Hughes. Thank you. 1210 South Valley View, Suite 208.

522 Mayor Goodman, members of the Council, I am submitting this letter to you and for the record
523 to summarize what has occurred since we were here last before you on this entire development.

524 During the last Council meeting, on November 16th, I was directed to meet with the developer's
525 representative, Mr. Pankratz. The following day, I contacted him and we agreed to have our first
526 meeting the following week. We've met thereafter on 11/30, 12/21, 12/28, and 1/6.

527 My meeting notes indicate the first meeting was attended by Frank, Todd Davis, who's inside
528 counsel for EHB, George Garcia, planning professional at my invitation, and myself. I was told
529 at this meeting that the golf course would be closing, which it has since closed. I asked for a
530 maintenance plan and a security plan concerned that with the golf course closed, they would
531 need their own security as the HOA contract of security had been asked not to enter onto the
532 private property of the golf course. But I've not yet received either of those plans to this point,
533 and they still remain a concern.

534 I made the following points. The neighborhood and members of the City Council want a
535 complete development plan for the entirety of the land to be developed, which I'd like to remind
536 you is 250 acres. The neighborhood and members of the City Council want a development
537 agreement so that all of the issues are clearly set forth in an enforceable contract. We want to
538 preserve the maximum amount of open space. We need density reductions to maintain the
539 compatibility with the existing neighborhood development. I indicated the neighbors were very
540 concerned about traffic issues.

541 While this list is not exhaustive of the issues covered in the two-hour meeting, it is what I
542 repeated in each of our subsequent meetings. Two hours into the meeting, Mr. Lowie entered our
543 meeting and threw Mr. Garcia out.

544 At our next meeting, which was attended by Frank, Todd, and myself, we basically went over the
545 history of the project and had nothing new on either side to add.

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546 On 12/21, the meeting was attended just by myself and Frank, after the Mayor intervened with
547 Mr. Lowie to insist that we meet alone. This was also a repeat of the previous meetings
548 summarized above. Mr. Pankratz asked me for specific suggestions to change the proposed
549 development. We concluded that meeting with a promise to meet again with a proposal to
550 address many of the issues.

551 Thereafter we met on the 28th. Unfortunately, no changes were suggested or offered by the
552 developer. As I was leaving, I happened to ask if the developer had filed anything with the City
553 and was told that they had filed for tentative map approval of 61 lots on 35 acres in the northwest
554 corner of the property off Hualapai and Alta and were planning to file a GPA that very day.
555 I expressed my surprise and disappointment that they chose that path in the middle of our
556 negotiations. I told Frank that the filing of tentative map and GPA was problematic as it violated
557 the critical concern of the neighborhood that a development proposal for the entirety of the land
558 be submitted. I also reiterated, again, density concerns.

559 On the 6th, Mr. Pankratz and I had our final meeting that I'm allowed to talk about. There
560 actually were more. Nothing new was discussed or proposed by the developer. During the course
561 of our negotiations, Mr. Lowie directed his staff to remove security cameras that had been
562 purchased and placed on flood control structures owned by the City of Las Vegas and installed
563 by Queensridge HOA. The HOA had received the only permission they thought they needed,
564 which was from the City, to place the cameras on their structures.

565 Security cameras were delivered to the HOA office after their removal. These cameras were used
566 to spot entries onto the golf course by unauthorized persons, yet they were removed ostensibly
567 because the HOA had not received permission from Mr. Lowie in advance of their installation
568 months before.

569 Mayor, I am very disheartened and disappointed that we were not able to make any progress
570 towards a resolution as we had been directed to do by this body. I have been publicly and falsely
571 accused of not bringing anything to the table, and I want to assure all of you that I tried my best
572 to emphasize the need for the reduction in the proposed density.

573 Unfortunately nothing, not even a single unit was offered during any of the meetings that Frank
574 and I had. In truth, not a single suggestion toward meeting any of the goals was ever brought to
575 the table.

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576 I would like to state publicly that I do not blame Mr. Pankratz for this at all as I do not believe he
577 was given the authority by Mr. Lowie to make legitimate offers. He is a building development
578 professional and I'm sure would have had plenty to contribute if he had been allowed.
579 Unless and until Mr. Lowie understands the need to work with the neighbors and reach a global
580 solution, I do not believe that anything further can or will happen. It is incumbent on this body to
581 convince Mr. Lowie that he does indeed need to work with the neighbors of this already exiting
582 masterplan community if we are to have any realistic opportunity for mutual resolution. As you
583 no doubt recall, we made a substantial case against the apartment proposal before you tonight
584 prior to the modification at the last Council meeting, so I will not go over any of those points
585 again.

586 However, I'd like to make one or two final concluding remarks. I know the tone of my comments
587 are negative, and as the point of our last meeting, that is exactly how I've felt and I believe I've
588 accurately represented the situation.

589 Subsequent to our last meeting, your City Attorney strong armed all of us into a room, which we
590 appreciated, actually. However, we were all asked to sign, including myself, a non-disclosure
591 agreement about what was discussed in that meeting because it was in the guise of settlement
592 negotiations. That was the first time that I ever heard of the proposal that you heard about
593 tonight.

594 I don't know when you maybe had heard about it before, but we first heard about it a week ago,
595 the reduction from the 720 to the 430. What was the final number?

596

597 **FRANK PANKRATZ**

598 435.

599

600 **SHAUNA HUGHES**

601 435, which more corresponds to the density that is adjacent in the Towers. However, we were not
602 allowed to talk about it. We were not allowed to pursue it. We were not allowed to see any
603 documents that may need to be modified as a result of that reduction.

604 And I do not want to sound negative about that being a legitimate step forward. It absolutely is.

605 However, it's one of probably a hundred steps. And my grave concern, based upon the experience

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606 I had in the negotiations that you ordered, my grave concern is negotiations will go no farther if
607 you approve this. Even though it is a step in the right direction, it is only a step. There have been
608 no other steps whatsoever up to this point tonight when it is sprung on us.

609 I checked as recently as three hours ago about whether I could reference it in my comments
610 today and was told no. So, as of three hours ago, I wasn't even certain if this was going to happen
611 tonight. So to say it is a last-minute proposal would be quite the understatement, frankly. And
612 again, despite that, I don't want to indicate a negativity toward the idea of progress, the idea of
613 movement.

614 However, there was another meeting, which I don't think I'm relieved from discussing, which
615 took place yesterday, where information was brought forward about unit counts that make me
616 extremely skeptical about this modification in front of you tonight being a sincere, legitimate
617 indication of what more is to come.

618 And because of that feeling I have, which I have very strongly got, I would really beg you to
619 continue putting the pressure on the developer, which was exactly what happened at our meeting
620 a week ago, and, lo and behold, we have a legitimate step forward. I don't believe, and I wish I
621 didn't feel this way but I sincerely do, that if the pressure is not kept on the developer, this will be
622 it. This will be it, and we'll be back to piecemeal development.

623 As I explained to you, in the middle of our negotiations about a global settlement, literally they
624 file a tentative map approval for 61 lots on 35 acres. In my opinion, I mean, maybe I'm a little
625 pessimistic at this stage of my life, but I took that as a, well, that's that. So much for the global
626 solution promise. I mean it just put a complete knife in the idea of a global solution, and I think
627 this does the same thing.

628 Again, emphasizing that to the extent I can be appreciative for some movement, I am. But I think
629 it's dangerous for you to naively assume that without continued pressure that only this body can
630 be expected to bring to bear, we're going to have a continuation of this. We're going to have
631 another map filed in a month for the next 61 lots on the golf course while we're in the middle of,
632 you know, maybe discussions if Brad can keep us all at the table, and I don't want that to happen,
633 because with each piece that's pulled from the whole, we become less and less able to really
634 achieve what I know your goals are and I know the neighborhood goals are. So I just would like
635 to caution you about that.

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636 **MAYOR GOODMAN**

637 Thank you.

638

639 **SHAUNA HUGHES**

640 And to the extent that I sound negative, I apologize. I try not normally to do that. But this is my
641 view of the reality of what has gone on in the last three months.

642

643 **MAYOR GOODMAN**

644 Well, Rome wasn't built in a day, Ms. Hughes and Mr. Pankratz.

645

646 **SHAUNA HUGHES**

647 That's true. That's true.

648

649 **MAYOR GOODMAN**

650 We all know you have to crawl before you walk. And it actually started with you, with your good
651 faith efforts. Even though you felt nothing was happening, here we are today and there has been
652 movement. And I think I can speak, even though I haven't spoken with them individually, I think
653 that I can first of all say thank you for this movement. I think it is incredible and really is
654 sensitive to the issue, because we are all very sensitive to the homeowners being homeowners
655 ourselves somewhere and maybe some of us with you.

656 But I think we all do see the merits of a global development agreement. I think we know that. I
657 think it's been said enough, and hopefully with very strong urging, the dialogue continues to
658 make that happen. I think where we've come today, and sometimes it does take to the last minute,
659 I can tell you dealing just with this one issue that's on the table right now to go ahead and have
660 that reduction and keeping the lines that have been shown to us, I mean, I can't believe it. I really
661 can't believe that we've come to that.

662 It's a matter of record, therefore it's a matter that will hold. And my hope is that the global
663 development agreement will come to be, and I know that both sides absolutely know how
664 important that is. But what we see is homeowners who really have life savings into their areas. I

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665 know Mr. Lowie has his properties there himself. He lives there. And I think we've just climbed
666 part of a mountain.

667 I think it's just been incredible, and it wouldn't have happened if you hadn't started it, even
668 though in the beginning nothing was happening. And I'd like to turn to both Mr. Perrigo and
669 thank Mr. Perrigo and Mr. Jerbic, because I really think trying to moderate, not be for the City,
670 and really keep that even keel to make something happen has resulted in a record that's been
671 made today. And being an optimist, I mean my gosh, the Cubs won the World Series.

672

673 **SHAUNA HUGHES**

674 And the Cavs won too.

675

676 **MAYOR GOODMAN**

677 If they can do that.

678

679 **SHAUNA HUGHES**

680 My Cavs won too, so - .

681

682 **MAYOR GOODMAN**

683 Okay. So I am going to open for public hearing. I think we've come so well. This is a calm time.
684 We've done something wonderfully. No, this isn't a courtroom. So legal matters don't, we are not
685 judges. We are not trained. We are not lawyers, and we shouldn't be involved in any of that. But
686 it wouldn't have happened without the two of you at least agreeing to do this for us to make
687 things begin to move forward. And again, speaking on behalf of all of us, I'm sure I could ask for
688 a vote, do we want a global development agreement, you would hear that same thing too.
689 But this is the start. So I'm first going to turn to Mr. Perrigo.

690

691 **COUNCILMAN COFFIN**

692 Your Honor?

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693 **MAYOR GOODMAN**

694 No? Or am I going to start with Mr. Jerbic?

695

696 **COUNCILMAN COFFIN**

697 Mind if I ask you a question, Your Honor?

698

699 **MAYOR GOODMAN**

700 Yes, please.

701

702 **COUNCILMAN COFFIN**

703 Yeah, I'm prepared to stay, you know, as long as it takes, and so I hope we're not rushing, you
704 know, the hearing, because I sense that because you indicated Councilman has to leave town,
705 that's unfortunate. But I really do want to hear what has to be said. And I have some things to say
706 myself that may take a little while, because I injected myself into this personally in my role as a
707 Council member too and have had two extensive meetings with EHB that I would like to report
708 back to you on too during this discussion. So I just don't want you to rush it. That's all.

709

710 **MAYOR GOODMAN**

711 Okay. The only thing I want to ask, and we're going to hear from Mr. Pankratz, who didn't get a
712 chance to even say anything yet and then to hear from public after hearing from Mr. Perrigo and
713 Mr. Jerbic. I want to make sure we stay on point of these specifics as they have been amended
714 today and stay on that, not go further out with new ideas, more information. Stay on focus of
715 where we are today, which if we do it, we will be able to get Councilman Barlow out of here, and
716 we will be continuing. There will be plenty of time for new ideas, more things to happen. But
717 this definitely is a first step.

718 So I'm going to start actually, I'm going to flip it on you and start with Mr. Jerbic. Well, let's go
719 with Mr. Pankratz first and then Mr. Jerbic.

720

721 **FRANK PANKRATZ**

722 Thank you. Frank Pankratz.

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723 **MAYOR GOODMAN**

724 And thank you, Mrs. Hughes.

725

726 **FRANK PANKRATZ**

727 901 Alta Drive, Las Vegas, Nevada. I was optimistic on our meetings. I was optimistic that the
728 Mayor, through her leadership directed the meetings. We had reached out to the neighborhood
729 for the last year and a half, two years, have had I think well over 50, 60 meetings in terms of
730 group meetings, individual meetings, and we were certainly at loggerheads.

731 It made Shauna's and my meetings difficult to the extent she was representing the HOA, I was
732 representing the Applicant, and the elephant that wasn't in the room was the litigation, the
733 litigation against the City, against the Applicant.

734 To the extent Mr. Jerbic and Mr. Perrigo over the past couple of weeks have really engaged
735 themselves, it has been very significant. We appreciate that. This application came to the City in
736 November 25th, 2015. We've abeyed, abeyed, abeyed. Many of the abeyances are because the
737 neighbors had requested more time, more time, more time, and sometimes we requested more
738 time because we thought we were making some progress.

739 So to the extent we have in the meetings that Mr. Jerbic and Mr. Perrigo have facilitated, to the
740 extent that the, a member of the litigants was in attendance, that certainly was important because
741 all three parties that are involved are at these meetings.

742 Again, because we signed confidentiality agreements with respect to those discussions, I can't
743 elaborate more, but we've had many meetings with Councilman Beers. I live in One Queensridge
744 Place. I've had a number of the homeowners come to me and more than whisper in my ear.

745 Mr. Terry Holden, 8:30 or 8:00 the morning after our November 16th meeting, he says, I'm a
746 developer, Frank. I've known you for a long time. Can we sit down and talk? I'm not opposed to
747 development, but I've got some things that maybe I can add.

748 So that's an example of many, many, many, many meetings that we've had in addition to Shauna
749 and I having our five meetings and the subsequent meetings we've had with Mr. Perrigo and Mr.
750 Jerbic.

751 With respect to the security, I know Shauna wrote her letter as she indicated before the more
752 recent events, but with respect to the security, members of our team have met with the

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753 homeowners' team with respect to the security cameras. Months ago, we had sent the HOA a
754 letter indicating that they recognized that it was our property, and with respect to the security
755 cameras, we didn't want trespassing, but if they signed a hold harmless and so on and so forth,
756 that any businessperson would want with respect to people coming on their property, that we
757 would work with them.

758 We never heard back from them. They trespassed on our property. We took the security cameras
759 down, delivered them back to their property, and we subsequently have had meetings. I don't
760 know because I haven't personally been involved in those, but I know some of our executives
761 have been involved with the HOA members with respect to security and so hopefully that can be
762 amicably resolved.

763 I could go on and on, but in the essence of time, we're happy with where the progress has been,
764 and we hope that the Mayor and Council will approve the application that's before you today. I
765 think the progress that you heard made here should be an indication of what's more to come, but
766 this global solution, we didn't get here quickly and it's going to take some time.

767 Again, we can't have our hands tied again, again, again, and again and we're here in good faith.
768 So thank you all very much.

769

770 **MAYOR GOODMAN**

771 Well, I thank you, and on behalf of the Council, I thank you and Mrs. Hughes for this, everybody
772 that's been participatory. Most importantly, this is going to continue. Hopefully dialogue
773 continues, even Council as they have ideas of ways to move forward. I want to make sure that
774 they're directed the right way and the right place, but I want to stay on task here.

775

776 We are not going to entertain anything that is going to direct this body as a judge and jury of
777 anything. But reality is we have come to where we are today, whether it had happened two weeks
778 ago. I know these meetings have been with a signed confidentiality and I think that was
779 appropriate. But we have made this giant step today.

780 So I want to stay on this. I want to hear from other representatives also, but I want to start with
781 Mr. Jerbic and Mr. Perrigo to keep us focused on what we are and how do people, what's the best

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782 way to move forward with ideas but keep encouraging this global development agreement being
783 arrived at.

784 So looking at that as succinctly as you possibly can, having been the two people that have been
785 trying to marshal through and get some positive resolve and movement, what is going to be your
786 recommendation for those who might have ideas, new ideas, or things that they've been thinking
787 over so we can move forward and get this piece done with the changes that are now a matter of
788 record.

789

790 **BRAD JERBIC**

791 I'll be very, very brief, because I think it's more important that the people who got on busses and
792 came down here all have an opportunity to talk tonight. So let me just say very briefly that while
793 Shauna was right to the extent that it feels like we just took one step and there are a hundred
794 more to go, I used a similar analogy. I said it's just one second on a clock, and we have a whole
795 hour to go.

796 But I do think if you sit in somebody else's shoes, this feels differently. To the neighborhood, I
797 have no doubt that this concession doesn't seem very big and doesn't seem very significant. I'm
798 sure to someone like Mr. Lowie, who has put the last 18 months of his life into it, this feels like a
799 very significant move and a genuine sign that he's willing to negotiate. So I urge everybody to
800 step into somebody else's shoes for a moment and ask yourself how you would feel if you had to
801 make these kinds of concessions. They're not easily given, and unfortunately they're not easily
802 taken.

803 But I do believe that we are going to make progress because I think the alternative is horrible,
804 and I think you all know it. I'm talking to the audience and to the Applicant and to the Council.
805 The alternative is obvious, and that is piecemeal development of one of the most beautiful
806 neighborhoods in Las Vegas. That is a reality. If that's what everybody wants, that is what will
807 happen if we don't come to the table and make an honest effort to try and resolve this through a
808 global agreement.

809 Having said that, Your Honor, I'll turn it back over to you. I don't know if Mr. Perrigo has
810 anything to add, but I think it's time to hear from the neighbors.

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811 **MAYOR GOODMAN**

812 Thank you. And Mr. Perrigo, any comments? And then I'm going to ask for your comments.

813 We're going to open up the public hearing portion of this, but we have moved.

814

815 **TOM PERRIGO**

816 Yes. Thank you, Your Honor. I completely agree with everything that Mr. Jerbic just said. Would

817 you like me to make a Staff report at this time then on the items?

818

819 **MAYOR GOODMAN**

820 Yes.

821

822 **TOM PERRIGO**

823 Okay. So since these items were before you last, I had the opportunity to put them back before

824 the Case Planning Team. The Case Planning Team evaluates every single item on every agenda

825 that comes before you. And so this report is based on them evaluating this as an independent,

826 standalone project.

827 The proposed development is located at the intersection of two primary arterial roadways and is

828 adjacent to multi-family residential to the west, a hotel casino to the north, general commercial

829 development to the northeast, and limited commercial to the east.

830 The project is designed to provide increased density while minimizing impacts to neighboring

831 properties through the use of a podium-wrapped construction method, thereby increasing the

832 amount of open space and amenities offered on the property. This is in contrast to the traditional

833 multi-family development construction method that precipitates large areas of surface parking.

834 The building elevations are compatible with the Parisian architectural style employed by the One

835 Queensridge Place buildings to the west of the site. Furthermore, the buildings would be situated

836 at a lower grade than the surrounding area, thereby preserving the existing views from the

837 adjacent residential areas.

838 The development as proposed would be consistent with goals, objectives, and policies of the Las

839 Vegas 2020 Master Plan that call for walkable communities, access to transit options, access to

840 recreational opportunities and urban hubs at the intersections of primary roads. Staff finds the

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841 proposed development to be compatible with the surrounding development and is in substantial
842 conformance with Title 19 and is recommending approval of all applications.

843

844 **MAYOR GOODMAN**

845 Thank you very much. Okay. So what we're going to do now is move ahead with the public
846 hearing portion. I'm going to ask you if you can, I mean if it really gets tight on you, I don't know
847 if it's possible, we'll certainly give you five minutes, but hopefully as the public comes up and
848 anybody wants to speak to keep it to two minutes, because I'd like to be able to take a vote, and I
849 would like Mr. Barlow, Councilman Barlow to participate in that.

850 So good afternoon.

851

852 **MICHAEL BUCKLEY**

853 Thank you.

854

855 **MAYOR GOODMAN**

856 You're not on.

857

858 **MICHAEL BUCKLEY**

859 Thank you, Madame Mayor. Michael Buckley. I'm 300 South 4th Street. My client is here on
860 behalf of the Frank and Jill Fertitta Trust, the owner of a home adjacent to this property.
861 The thing I just wanted to, that struck me last night at the Planning Commission, when the
862 Planning Commission voted 4 to 2 to approve a 166 acre general plan amendment on the golf
863 course, the beginning of the piecemeal taking apart of the golf course, is that basically the City is
864 saying that R-PD zoning in the City is meaningless. If any parcel of property within an R-PD
865 district is entitled by right to the number of units in the overall district, then R-PD zoning has no
866 purpose or benefit.
867 Likewise, if the land that was approved by the City more than 26 years ago as golf course open
868 space drainage in the Peccole Ranch Master Plan can be developed without reference to that
869 Master Plan, then that plan and any other special area plan has no meaning. How can this plan
870 followed by the City for so many years suddenly vanish?

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871 The City's adherence to the notion that any parcel in an R-PD district is entitled by right to the
872 density permitted in the gross acreage of the entire district flies in the face of the plain language
873 of the Development Code, which ties density in the district not to any single parcel but to the
874 gross acreage of the district.

875 There's been conversation that the hard zoning for Badlands is unique. That's not true. Canyon
876 Gate is R-PD4. Los Prados is R-PD9. Silverstone is R-PD3. Even The Lake at The Lakes is R-
877 PD3. As the City Attorney stated at the Planning Commission meeting, on October 18th quote, if
878 there is another golf course in town that is hard zoning like this one, then they would have the
879 same rights as this Applicant.

880 The actions the City takes here will reverberate throughout the City, affecting not only the
881 communities mentioned, but every other R-PD district in the City, enabling development of open
882 space and other areas, turning upside down expectations of homeowners throughout the City.

883 Thank you.

884

885 **MAYOR GOODMAN**

886 Thank you so much. And now from this point, I'm going to ask people to try to hold their
887 comments to two minutes, please.

888

889 **FRANK SCHRECK**

890 Madame Mayor and members of the Council I understand your dictate, but we have been sitting
891 here and coming to meeting after meeting, and we have some important things that we want to
892 impart to this Council before you take a vote that can destroy our community in the first step. I
893 see where you think it's a major step forward. We think it's a step to the next project next to it,
894 the next project next to it, just like the 61 will go parcel after parcel after parcel with no
895 guidelines.

896 So we do have some presentation we want to make. I'm sorry, Mr. Barlow may have to catch a
897 plane, but we have certain things that we would like to say, and we've been sitting here patiently
898 for an hour waiting to say them. But I'll do it as quickly as I can.

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899 **MAYOR GOODMAN**

900 I would appreciate that then if you will, because he's-

901

902 **FRANK SCHRECK**

903 What I want to deal with is the fact that there is no application in front of you for a major

904 modification, which is absolutely required for you to approve this.

905

906 **MAYOR GOODMAN**

907 - Your name?

908

909 **FRANK SCHRECK**

910 Oh, I'm sorry, Frank Schreck, 9824 Winter Palace Drive.

911 Peccole Ranch is a master development plan, and Queensridge is a master plan community in the

912 city of Las Vegas. And just to support that, because people are saying we're not a master plan and

913 making all kinds of insinuations as to what we have, is that first of all, that I'm going to introduce

914 for the record the actual final zoning approval letter from the City in January 29th, 1991,

915 indicates one of the conditions is conformance to the conditions of approval for the Peccole

916 Ranch Master Development Plan Phase Two.

917 In addition, the 1992 City Land Use Plan designates the Peccole Ranch as a master plan

918 community. In addition, the 2012, your master plan in the Land Use Entitlements lists in the

919 southwestern section all the planned areas, the master plan areas: Canyon Gate, The Lakes, South

920 Shores, Summerlin West, Desert Shores, Peccole Ranch. There can't be any question that we're a

921 master plan development.

922 And what does that mean to you today? It means that under your ordinance, 19.10, you're

923 required to have a major modification before you can take action on these applications. I'll read

924 to you from Section G of that ordinance.

925 The development of property within the planned development district may proceed only in strict

926 accordance with the approved master development plan and development standards. Any request

927 by or on behalf of the property owner or any proposal by the City to modify the approved master

928 development plan or development standard shall be filed with the Department in accordance with

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8568

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929 paragraphs one and two of this subsection, and the Director shall determine if the proposed
930 modification is minor or major and the request or proposal shall proceed accordingly.
931 After that is the definition of what a minor modification is. Believe me, this is not a minor
932 modification. It doesn't fall with any of those issues.
933 So what does section two say? Major modification. A major modification includes any
934 modification which does not qualify as a minor modification. And this doesn't qualify as a minor
935 modification. A major modification shall be processed in accordance with the procedures and
936 standards applicable to a regional zoning application as set forth in subsections, blah, blah, blah.
937 Okay.
938 Now, this application was filed in November or October of 2015. And in January of 2016, it was
939 placed on the Planning Commission agenda. At that time, the Planning Department, who has
940 been praised for its hard work and diligence, prepared a Staff Report. That Staff Report, and I'll
941 introduce that of January 12th, 2016 dealing with this specific project, 720 on 17.49 acres, says
942 Analysis: The site is located within Phase Two of the Peccole Ranch Master Plan area. So that
943 can't be of a question. But more importantly, it is the determination of the Department of
944 Planning that any proposed development not in conformance with the approved Peccole Ranch
945 Master Plan would be required to pursue a major modification of the plan prior to or
946 concurrently with any new entitlements.
947 The findings in this Staff Report, with respect to density and intensity, which they found was
948 compatible, okay so it wasn't in our favor, but it says the proposed general plan amendment
949 would result in the modification of the Peccole Ranch Master Plan, just as this will. Without the
950 approval of a major modification to said plan, no finding can be reached at this time.
951 [Inaudible] zoning designations, which is placing a different zoning on our park/recreation/open
952 space, R-3. The zoning districts allowed by the proposed general plan amendment would result
953 in the modification of the Peccole Ranch Master Plan. Without the approval of a major
954 modification to said plan, no finding can be reached at this time.
955 And number four, when they're talking about the amendment, if you have to amend the City's
956 General Plan to do something in a master plan community, that's axiomatic that that is a major
957 modification. You're going to the General Plan to get and amend it so you can do something on
958 this property. And they recognize it, your Staff recognized it. They said the proposed general plan

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959 amendment would result in a modification of the Peccole Ranch Master Plan, which it does.
960 Without the approval of a major modification to said plan, no finding can be reached at this time.
961 So your Staff on this same project a little bit more than a year ago found that it was mandatory
962 that there be a major modification application with respect to this 17.9 acres, not the big project.
963 This is on the 17.9 and the 720. Where is that? Where's Staff saying that, oh, I guess we made a
964 mistake, or never mind? That's the type of stuff we've been getting for a year and a half.
965 In August 6th, 2014, your Staff required at the Towers, when they combined two towers, they
966 required a major modification. There wasn't an increase in the number of units in those towers.
967 The only thing that was increased was the height of the tower. It was combine the two and the
968 height increase. That's all that occurred. Staff required a major modification.
969 Now, I'm sure he's going to get up and say it, and I'm not going to have any time, but last night
970 with respect to this issue, Mr. Jimmerson got up and he was saying oh, in the City's Land Use
971 Element there's a specific section, and it says that the only things that get major modifications are
972 a group of projects that are listed in one section. Okay.
973 Let me just give you a couple excerpts from that same plan. This is in the Executive Summary on
974 the first page. Land use categories used in the City General Land Use plans and various special
975 area plans and master plan community plans are presented in table format. There's, one is there's
976 various special area plans and then there's master plan communities.
977 If you look at your own Land Use Hierarchy, that's in the same 2020 master plan, you'll see right
978 under the zoning, Master Development Plans, Special Area Plans, they're two separate things
979 although they've been dealt with the City basically the same. But they're two separate things.
980 What Mr. Jimmerson was referring to is this, and this deals with special area plans, not with
981 master plan communities, okay, which are separate.
982 Here's what deals with master development plan areas. Master development, master planned
983 areas are comprehensively planned developments with a site area of more than 80 acres.
984 And then a few pages later, like this is a sector, here's the same plan with the western, the
985 southwest section sector, which says that the following master development plan areas are
986 located within the southwest sector, and Peccole Ranch is one of that group of plans. And then
987 this is the corresponding map to it that shows all of those master plan communities.

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988 So what Mr. Jimmerson was talking about was a list of special use areas, not master plan
989 communities. And this isn't even a complete list. This just says includes these. There's far more
990 than just these in special area plans. But it doesn't deal with the master plan community that we
991 are.

992 And it's the ordinance that I read to you that deals with master plan developments. And that
993 ordinance says that if there's a major, it there's a modification of this size, it needs to have a
994 major modification application, and your Staff on this very project, a little bit more than a year
995 ago, said that that's what had to occur. And we don't have one. We don't know why there isn't
996 one. We'd like to have some understanding of what kind of game is being played now because it
997 clearly is required under your ordinance. It was pointed out by Staff and now it's disappeared.

998 Thank you.

999

1000 **MAYOR GOODMAN**

1001 Thank you. Any comment there, Mr. Perrigo?

1002

1003 **BRAD JERBIC**

1004 Is your question, Your Honor, why is there not a major mod accompanying this particular
1005 application at this point in time? I'll turn that to Mr. Perrigo if he wants to answer. But I can also
1006 just briefly read for the record I'm resisting, because I respect your arguments, Mr. Schreck. I
1007 respect you as an attorney. I respect the fact that you have a lawsuit pending right now. But I also
1008 know that these aren't judges, and they're not going to decide it.

1009 And so my silence isn't assent to anything, but at the same time, there is an answer for just about
1010 everything that's been said. I will give you a flavor of one of the things that we will argue is that
1011 the City of Las Vegas Land Use and Rural Neighborhood Preservation Element of the Las Vegas
1012 2020 Master Plan, adopted by the City Council on September 2nd, 2009, in Ordinance 6056, as
1013 revised on May 8th, 2012, Ordinance 6152, it says, quote, special plans, special area plans in
1014 which major modification is required to change a land use designation include the following:
1015 Grand Canyon Village, Lone Mountain West, Grand Teton Village, Las Vegas Medical District,
1016 Cliff's Edge Providence, Kyle Canyon Gateway, Lone Mountain, Summerlin, and Town Center.
1017 It does not include Peccole Ranch.

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1018 There are arguments for just about every point, that I respect both sides in this, but these will be
1019 decided by a judge. If you want more -

1020

1021 **FRANK SCHRECK**

1022 That's what I mentioned. That's special area plans. We're talking about master plans. In another
1023 section, if you look at the southwest sector, it talks about master plan developments. And it's the
1024 master plan development that the ordinance directly talks to, which supersedes and which is
1025 more important than something in your Land Use Plan. It speaks directly by ordinance to the
1026 requirement of a major modification in a master development plan, which we are. I went through
1027 the beginning showing we're a master plan development. The area sector plans are irrelevant.

1028

1029 **BRAD JERBIC**

1030 - Mr. Schreck, I'll let you have the last word. I will not engage in this debate, because this is not
1031 the appropriate forum.

1032

1033 **COUNCILMAN COFFIN**

1034 Your Honor? I need to say something here. Your Honor?

1035

1036 **MAYOR GOODMAN**

1037 Yes, Councilman?

1038

1039 **COUNCILMAN COFFIN**

1040 I'm very familiar with what happens when elected bodies essentially surrender their work to
1041 courts, and so it's been my policy over these nearly 40 years of public service to hear it all out
1042 and work it all out before it goes to courts and before anything possibly can go to court, because
1043 it never works for anybody. We end up with egg on our face if we move too fast. Thank you.

1044

1045 **FRANK SCHRECK**

1046 My only argument is your ordinance requires on a master development plan if there's a
1047 modification, irrespective of what the Land Use says, and I've given you my distinction from

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1048 what he said, your ordinance, which is far more important to this proceeding than the land use
1049 element, the ordinance says if you have a major development plan and it's modified and it's not a
1050 minor modification, it's a major modification.

1051 And your Staff found that, wrote their report, a little bit more than a year ago and required that
1052 developer, before he could go forward with that application, the same one that's before you
1053 today, the same general plan amendment number, to have a major modification.

1054

1055 **GEORGE GARCIA**

1056 Thank you, Mayor. Mayor and members of the Council, George Garcia, 1055 Whitney Ranch
1057 Drive, Suite 210.

1058 Let me pick up first on a couple of items before I go into the presentation to respond a little bit.

1059 First off, the request, as I understood it, was going to be for 435 units, but with high density
1060 master plan land use designation. I think you all know that if the high density designation is
1061 there, an applicant can come back at any time and request a higher level of zoning and restore or
1062 go back to whatever the maximum allowable under the H land use designation is.

1063 The idea that this is somehow would be a reduction would basically be a complete illusion. It
1064 would all go away. I understand it's subject to your review and approval, but coming back in and
1065 saying it's H would open that door for basically unlimited height and density allowed under the
1066 H designation.

1067 So the 435 looks good, but it's not, it's, there's no, it's not binding. It would be an M land use
1068 that would match closer to what has been proposed.

1069

1070 **MAYOR GOODMAN**

1071 I thought that, but -

1072

1073 **BRAD JERBIC**

1074 It is.

1075

1076 **MAYOR GOODMAN**

1077 - I thought that is what was reported.

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1078 **GEORGE GARCIA**

1079 That's not what Mr. Kaempfer said. He wanted -

1080

1081 **BRAD JERBIC**

1082 I will state on the record Mr. Kaempfer -

1083

1084 **GEORGE GARCIA**

1085 - [inaudible]. He needs to come back and clarify.

1086

1087 **MAYOR GOODMAN**

1088 No, I think it was.

1089

1090 **BRAD JERBIC**

1091 - so that we don't have to debate this point. Mr. Kaempfer, is, are you amending your request for

1092 a general plan amendment instead of H to M?

1093

1094 **CHRIS KAEMPFER**

1095 Your Honor, members of the Council, Mr. Jerbic, absolutely. That's what I said. I thought that

1096 was clear. We're going to M and R-3. Thank you.

1097

1098 **GEORGE GARCIA**

1099 Well, so with the clarification that it's now going to be amended to M, then that comment will

1100 change, but based on what he said earlier, my comments are still valid.

1101 Secondly, I guess, let me take a comment too. Let's throw out all the nonsense about zoning rules

1102 and land use and legal stuff. You can't do that. We all know that. I thank Mr. Coffin. Now, we're

1103 going to have, are you sitting? Is there not a judge that eventually may come? That's fine. But

1104 you're sitting in this role where the rules matter. I think that's what Mr. Schreck was trying to

1105 point out. Rules do matter. They're your things.

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1106 And as a planner, we live and breathe these sections of your code and your master plan. But as a
1107 practical matter, so let me digress for a moment and say, as a practical matter, let's talk about
1108 what is a practical matter of people.

1109 So since this was created, since 1990, and started developing basically in about '94, every buyer,
1110 every homeowner, every person that came in here would have come to the City and said what am
1111 I looking at? I'm looking at a master plan community. I'm looking at a master plan community
1112 with golf course, open space, and drainage.

1113 And I look at the documents that the Peccole's gave me, and what does it show? And I can show
1114 you on this exhibit. But before that, I'll also say that the City's General Plan, with which the
1115 original Peccole Ranch Master Plan Phase Two was amended to match in the 1985 Plan, but then
1116 in 1992, the City came back and amended its General Plan, its land use, and you can look at the
1117 map, and it will show the golf course drainage area is PR-OS.

1118 That's what exists today is the PR-OS that was there. It was then later amended to add another
1119 nine holes and again designated to match what the City had adopted through a master planned, or
1120 you know, development, or master plan community as we refer to them, also known as a PUD in
1121 the zoning code or P, PR, RPDs and PUDs, they're all planned unit developments under the state
1122 statutes.

1123 So what do people expect when they look at the City's plan? Doing their homework and their due
1124 diligence, they see Parks/Recreation/Open Space. But what do they see in the specific plan
1125 documents the City approved and that Peccole would give them? If you go to the overhead and
1126 we look at this chart, if we can zoom in on the chart here, right here, what this chart all says, and
1127 you can go back and look at the documents.

1128 This is the Peccole Ranch Master Plan. This was prepared for Peccole Trust, and this was dated
1129 February 6th, 1990. This is what ultimately gets approved in the master development plan and
1130 PUD. Right here, it shows you land use, acres, net density, net units, land use, single family,
1131 multi-family, commercial, and so forth. We get down here, golf course and drainage. So golf
1132 course and drainage were clearly contemplated within this open space area.

1133 This time, it's only 211. As I said, it grows at 250. What does it show? It shows that there are no
1134 units provided in the area, no density, none. If you look at your PR-OS designation and your

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1135 Comprehensive Plan, it also allows no residential units under PR-OS. Every reasonable person is
1136 going to think when they're buying, it's PR-OS and that's what I should expect.

1137 Now, the master developer, and early on, had a lot of flexibility. Today, that master developer is
1138 gone. Nevada Legacy 14, LLC does not exist anymore; it's been dissolved. That was the Peccole
1139 Ranch. The City's bonds have all been released; there are no bonds. It is, it is a completed master
1140 plan, no longer conceptual in planning. All of it has built and sold. The rules change at that point
1141 for what happens in a completed master plan community.

1142 Under NRS 278A, there are provisions for protecting people, and I'll leave this here, but I'm just
1143 going to read you real briefly what it says. The enforcement, and this is right out of, and you can
1144 look up 278A, this is 380 in particular. The enforcement and modifications and provisions of the
1145 plan must be to further the mutual interest of the residents and owners of the planned unit
1146 development and of the public in the preservation of the integrity of the plan as finally approved.
1147 The enforcement and modifications of the provisions must be drawn to ensure that modifications,
1148 if any, in the plan will not impair the reasonable reliance of the residents and owners upon the
1149 provisions of the plan or result in changes that would adversely affect the public interest.

1150 There is no question this is a modification, and there's no question that people have told you
1151 what they would reasonably rely on, as I told you, and that they believe it will impair.

1152 Further on, in 278A.400, the plan shall run in favor of the residents of the planned [inaudible]
1153 residential development. Clear instructions from your legislature, the superior body, in terms of
1154 legal concepts.

1155 Modifications of the plan by city or county, 278A.410, no modification, no such modification,
1156 removal or release of the provisions of the plan by the city or county may affect the rights of the
1157 residents of the planned unit residential development to maintain and enforce those provisions.

1158 And it says further on that basically no modification, removal or release of the plan by the city or
1159 county is permitted except upon a finding by the city or county and it goes on. It has to be, it says
1160 here under (b), does not adversely affect either the enjoyment of land abutting or across. So it's
1161 not affecting. It's granted solely to confer a benefit on a private person is the last point. There's
1162 no question this is not for the benefit of the community; it is for the benefit of the Applicant.

1163 Today, under the current plan, all that exists in terms of what density would be allowable for
1164 multi-family, if you take all the units and we've counted them and we've provided this for, this

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1165 exhibit shows there are only 283 multi-family units available that are not already entitled and
1166 committed or built.

1167 As I've said before, this is precedent setting. Representatives from Silverstone were at last night's
1168 meeting and previously. As it was indicated previously, R-PD districts Suncrest, Los Prados,
1169 Silverstone and many others, R-PD is what the golf courses and open space are designated. The
1170 approval of this basically opens the door for any golf course, any open space in a master plan
1171 community, to go the same direction. It will create a golf course gold rush. There is a hedge fund
1172 that operates some of these golf course companies.

1173 What is the intent of a plan? These are the subdivision basically regulations, because part of what
1174 we're looking at is that we're looking at maps that were basically done illegally. The judge has
1175 not dismissed that case. So we would basically object to the fact that we're basing this in part on
1176 maps. Subdivision procedures that are required, a residential planned development shall follow
1177 the standard for subdivision procedures.

1178 The tentative map, that's a tentative map, not an administrative map, the tentative map shall
1179 include public and private street designs, lot designs, dimension, and the final map shall indicate
1180 and it goes on.

1181 This is right out of your Zoning Code. There's no provision for administrative mapping, parcel
1182 mapping. It says it has to follow standard subdivision procedures for tentative maps. That has not
1183 been done.

1184 Along with that is the requirement that basically that there are supposed to be application
1185 requirements for what is before you, and we don't believe those have been met. As we see today,
1186 we have a new, essentially what is a new or amended application, as Shauna indicated. You don't
1187 have the details provided for that. Drawings and plans that are required, they're not provided, and
1188 I can enumerate those.

1189 The Director of Public Works is required, under Title 20, and Title 20 also specifically says that it
1190 recognizes 278A. It doesn't ignore that. But it says this section requires the Public Works
1191 Director to review any zone change request and file a written report. To the extent that we've
1192 reviewed every file, there is no written report. This isn't a 100-year flood plain, or as we've
1193 provided before, evidence of how damaging that potential is, the provisions for that, and I won't
1194 go into all the details but just give you that quick.

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1195 Here we have the map that, again, we don't believe was created properly. But this is, shows you
1196 those drainage easements that exist. There are drainage easements here, and basically they're not,
1197 have yet not been addressed how the flooding is going to occur or anything else.

1198 This is, again, quoting the section the of 278A applies out of Title 20. It's 20.08370. It says
1199 specifically, NRS Chapters 278 and 278A are applicable. So there's no question the sections I
1200 quoted before apply.

1201 I'm also going to leave you with some provisions of a commentary and I'm going to and -

1202

1203 **MAYOR GOODMAN**

1204 Okay, will you turn all that in to our City Clerk?

1205

1206 **GEORGE GARCIA**

1207 -Yeah, I'll leave all of this for the record -.

1208

1209 **MAYOR GOODMAN**

1210 Thank you.

1211

1212 **GEORGE GARCIA**

1213 - some basic principles on planning and zoning that we discussed last night, and as Mr. Jerbic
1214 said, all of the items that have previously been discussed at all of these hearings, all the
1215 associated Peccole history going back to 1990, and including the most recent application that
1216 was discussed last night will all be in the record. But to give you just briefly some points out of
1217 here, here's where I want to show you the land use designations of your own plan, the master
1218 plan designation PR-OS shows that no allowable density is permitted.

1219 And so while you're changing it, again, we don't believe that it's being done properly, because
1220 there's no major modification. The general plans and the master development plans are the
1221 primary tool, and that's what this sets in forth. The application you have before you is defective
1222 and deficient.

1223 The site plan is defective and deficient. The access roads, we don't have any details on the plan.

1224 There's no dimensions on this specific plan. There are, distances between the buildings are not

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1225 labeled. The parking space is not dimensioned. No perimeter walls are shown. There are a lot of
1226 deficiencies, and again I'll leave those for the record that we've identified.
1227 In general, basically we think everything you have before you, including the offered amendments
1228 are insufficient to meet the requirements and findings to support a general plan rezoning along
1229 with site development plans and tentative map.
1230 Mayor with that, thank you.

1231

1232 **MAYOR GOODMAN**

1233 Thank you, Mr. Garcia.

1234

1235 **DAVID MASON**

1236 Hi, I'm David Mason, 9103 West Alta.

1237

1238 **MAYOR GOODMAN**

1239 You can go to the middle one. I think the mic is on there, Mr. Mason.

1240

1241 **DAVID MASON**

1242 David Mason, 9103 West Alta.

1243

1244 **MAYOR GOODMAN**

1245 Okay. So I'm going to ask now that we try to stick with the two minutes as best you can.

1246

1247 **DAVID MASON**

1248 I'm pretty sure I can.

1249

1250 **MAYOR GOODMAN**

1251 Good. Thank you.

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1252 **DAVID MASON**

1253 Part of the Staff Report, dated today, one section of it, which is on page SS, says, the current
1254 general plan amendment rezoning and site development plan review requests are dependent on
1255 action taken on the major modification and related development agreement between the
1256 Applicant and the City for the development of the golf course property. This is coming from the
1257 Staff. A major modification that needs to end a development agreement.

1258 Separately on there, it says on a separate page, it says, however, without prior approval of
1259 modification to the Peccole Ranch Master Plan on this area, residential uses would not be
1260 allowed. This is from the Staff dated today. So everything that's been spoken about is even still
1261 coming from the Staff.

1262 Now, separate from that, I'm just going to make a general statement. And the general statement is
1263 we're reacting to a developer who, on his own accord, spent a lot of money buying a drainage
1264 ditch, a golf course, open space in a master plan where I live. He came to you guys, not like a
1265 typical developer would, and said it's subject to me getting my zoning, because I've heard
1266 sympathy come from different people; well, he's already got the land; he should have a right to
1267 develop it.

1268 I completely and totally disagree. This action could be looked on nationally and embarrass this
1269 city. For such a dramatic change where we're going to let people build in a drainage ditch in a
1270 master plan, fully completed development and put high density residential where one day very
1271 possibly people are going to die.

1272 Now, that's part of what you're looking at today. That is the fact, where have we let anybody in
1273 this valley build on a drainage ditch? The closest I know is when we put the flood waters of
1274 Flamingo Wash underground across Caesars Palace's parking lot 30 some years ago. We didn't
1275 set on top of those high density residential.

1276 The real problem here is the whole premise. We're letting somebody, because they've already
1277 bought the land without getting approval, obviously thinks they have approval, but without
1278 getting approval of this board, make an application to turn a drainage ditch, open area golf course
1279 into high density residential.

1280 And the last number I heard that they want to eventually accomplish here is 3,000 units. There
1281 may be somebody here who was in that meeting that might come up and say, yes, I just heard

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1282 that. I want 3,000 units without a master plan amendment, without a plan, without an agreement
1283 on what that means.

1284 With that, I bid you adieu.

1285

1286 **MAYOR GOODMAN**

1287 Thank you.

1288

1289 **ALICE COBB**

1290 Good afternoon, Madame. Madame Mayor and Council, I'm Alice Cobb, and I'm the President of
1291 the Board for One Queensridge Place, who has really never addressed the Council with regard to
1292 Badlands. And we have a community of people who recently took a survey and wanted it to be
1293 communicated to the Council with regard to the Badlands project. We obtained this information
1294 by asking our population to complete a confidential survey.

1295 I'd like to give you very briefly, I'm only going to give you a few returns on that so you can get a
1296 pulse on how they're feeling right now.

1297 The homeowners do feel they're informed as far as what's in the newspaper. As far as the
1298 Badlands development, it's quite the opposite story. The homeowners indicate their greatest
1299 concerns about the project are as follows: 73% traffic, 67% on density, 51% on loss of views,
1300 45% on crime, of which we've already just because of the traffic and increase in population
1301 around Rampart, having more crime problems, although One Queensridge Place is a stellar
1302 example of keeping a safe environment, we're starting to have problems, 37% had other issues,
1303 also including central zoning.

1304 Seventy percent of home, seventy-six percent of homeowners oppose the project flat out.

1305 Homeowners were asked whether they would be in favor of paying a special assessment for legal
1306 fees associated with hiring a land use attorney and/or pursuit of legal action. Forty-nine percent
1307 of them surprisingly said yes. Thirty-nine percent responded no. When homeowners were asked
1308 what impact the project had on their future at One Queensridge Place, 33% responded they
1309 already have or will take action to sell or lease their homes if the project is approved.

1310 Finally, one of the biggest concerns raised by homeowners in HOA meetings is that there is no
1311 overall Badlands development plan, a common theme apparently. Rather, there have been

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1312 continual changes, proposals tabled in a piecemeal fashion. Therefore, homeowners are
1313 understandably worried about the possibility of many years, and you know how long these
1314 construction projects take, many years of continuous construction that could reduce the property
1315 values of One Queensridge Place for years to come.

1316 I would also have a comment on what I heard earlier in the meeting and going over something
1317 about a lot of confidential meetings with confidentiality agreements, and I would strongly
1318 caution that the governance requirements and obligations of running neighborhoods and high-
1319 rises create obligations to our homeowners that are critical. And if they heard this type of
1320 discussion, they would be quite alarmed, and the first question would be, who's at the table, and
1321 how do we create transparency? Because the governance and the power in, at least One
1322 Queensridge Place, belongs to the homeowner.

1323 Thank you.

1324

1325 **MAYOR GOODMAN**

1326 Thank you very much.

1327

1328 **BRAD JERBIC**

1329 Mayor, can I address that real quick while Elaine is walking up?

1330

1331 **MAYOR GOODMAN**

1332 Yeah, please.

1333

1334 **BRAD JERBIC**

1335 I quite agree with what Alice just said. And it is something that is very much on our minds as we
1336 go through this. There isn't any one person or one group of persons in this room that can speak
1337 for the 1,200 people that live in Queensridge, and we are very much mindful of it. At the same
1338 time, the tension here is that there are lawsuits, and people don't want to say things out loud that
1339 may sound contrary to what they're alleging in a lawsuit, and so nobody wants to have those
1340 words used against them.

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1341 So I can assure you the only reason for confidentiality is so that words are spoken freely in a
1342 room that aren't used in a lawsuit. I don't have any problem with those words leaving the room
1343 and going back to an HOA or to people, because, ultimately, it's going to be all of your decision,
1344 not just a handful of people in a room.

1345

1346 **ELAINE WENGER-ROESNER**

1347 Hello again. My name is Elaine Wenger-Roesner, and I'm the President of the HOA Board at
1348 Queensridge.

1349 Once again, I stand before you to report that the HOA Board of Directors in representing the
1350 Queensridge community, remain opposed to the proposed development due to a lack of a
1351 completed development plan. We are very concerned about piecemeal development within our
1352 community.

1353 The Queensridge community appreciates the time we were afforded by the Mayor and Council
1354 members for the opportunity to negotiate with the developer via Shauna Hughes and Frank
1355 Pankratz. We were so very hopeful that progress would be made, allowing a genuine solution
1356 between our community and the developer. Sadly, that never happened.

1357 As of one week ago, at the request of Brad Jerbic, we have expanded the participants included in
1358 these negotiations, and we have met twice in the past seven days. Because I do not stand here
1359 alone, at this time I'll ask those people that are here today that support what I'm saying to please
1360 stand up as I request the Mayor and the City Council to deny the applications in front of you
1361 today, allowing the community and the developer the time needed to work on a global plan. We
1362 appreciate your consideration in this matter. Thank you.

1363

1364 **MAYOR GOODMAN**

1365 Thank you very much.

1366

1367 **HERMAN AHLERS**

1368 My name is Herman Ahlers. I live at 9731 Orient Express Court. I've lived there for 16 years,
1369 plan to retire there after I turned 80 the other day, and I plan on staying there.

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1370 My only comment that I'd like to make, a quick comment about the global plan. I think this is a
1371 great idea, and the majority of the homeowners there, that I have talked to, prefer that. But the
1372 problem is the developer in order to get his densities — 2,700, 3,000, whatever — he has to
1373 cluster high rise in some areas, then he can afford to do the preserve-type thing with low density
1374 acre lots. These people love that. Like where I live, that's much better for me.

1375 But there's a conflict. That type of a global project is negatively affected by the high cluster units
1376 that they need to do to get their overall requirements. But I think that's the real challenge in why
1377 it hasn't gone anywhere.

1378 Now, when they do the piecemeal, I think this is a good idea. And in this particular project, I
1379 would just like to make the comment that if any Council person approves this tonight, that they
1380 would make one stipulation that until this approved project, say these 435 units, until they are
1381 built and until they're 80% sold, so we can see what we got and we can see what negative or
1382 good effect it has and see how these builders are going to do what they say they're going to do,
1383 before they approve another phase, this one has to get completed. I'd like any Council person
1384 who's voted on this to make that contingent upon their approval.

1385

1386 **MAYOR GOODMAN**

1387 Thank you. And I think too what we are asking and continuing to urge is the global development
1388 agreement.

1389

1390 **KRIS ENGELSTAD-MCGARRY**

1391 Good evening. I'm Kris Engelstad-McGarry. I come before you just confused. I was confused 18
1392 months ago. I am even more confused after how many meetings and how many abeyances and
1393 all the discussion.

1394 The last time I was here, we had or I had asked specifically about the parking. If there is some
1395 projection of the parking structure that will be admitted into the record, where will it be? What
1396 will it look like? Does it raise, I heard right tonight, what the level of the building will be?

1397 Where's the parking structure?

1398 I am confused about the construction equipment. I hear that it may be staged someplace. It may
1399 be staged somewhere else. Where is it going to be? Just an answer.

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1400 You know, Mr. Lowie and his company have built Queensridge and built Tivloi, and they are
1401 leaving behind two buildings that are riddled with construction defect. What is he building now?
1402 I'm happy they look beautiful. I bought in it. My mother bought in it for a reason. None the less,
1403 that's what's happened. You know, this isn't about somebody's ability to buy in there. To live in
1404 there or to relocate. I've heard time and time again millions of dollars Mr. Lowie has tied up in
1405 this project and I am certain that that is true. But what about the hundreds of millions dollars of
1406 people who are residents there and are looking at their real estate assets. What happens with
1407 those?

1408 I also hear that the Clark County School District last meeting didn't have any commitment.
1409 Tonight they are monitoring it. I am a great proponent for the education of Nevada and I know
1410 that you are, but do you really think that this school district, this overwhelmed, underperforming
1411 School District is going to be able to accommodate what is coming in in that area? I don't.
1412 Last night I sat and listened to Mr. Jimmerson, and Mr. Trowbridge call us collectively arrogant,
1413 hypocrites, unappreciative of staff time. We operate in bad faith, and most of all we're not smart
1414 enough to read our own deeds.

1415 We have operated in good faith. We continue to operate in good faith, and we operate in good
1416 faith with this City and the funding and partnerships that we personally have had, the Animal
1417 Foundation, CSN, Opportunity Village, UNLV, the beginning of the UNLV Medical School, 200
1418 running active scholarships and that's to name a few.

1419 I don't bring those up because I'm trying to tell you our accomplishments or what we've done. I
1420 bring those up because it has been our honor to be able to partner with this city, and nothing
1421 makes me sadder, truly, than to tell you we can't continue those partnerships if this project goes
1422 through. Thank you.

1423

1424 **RON IVERSEN**

1425 Madame Mayor and Council members, my name is Ron Iversen, and I reside at 9324 Verlaine in
1426 the Queensridge community.

1427 About seven weeks after we started a massive renovation on what we thought would be our
1428 retirement home, Mr. Lowie purchased the Badlands Golf Course, and our world has not been
1429 the same since that time. While we knew that the Badlands Golf Course did not belong to

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1430 Queensridge, we did know that we were purchasing a home in a master plan community that was
1431 completed and stable. We believe that even though the golf course might go away at a future
1432 point, that we had the right to enjoy the open space behind our house.
1433 That, as you know, is the primary concern of Queensridge homeowners, not only because of its
1434 impact on property values, which have fallen somewhere between 10% and 30% in our area, but
1435 also because of the impact on the quality of our lives. The views, the quiet, the air and the
1436 wildlife, that is why we pay a premium to live in a master plan community. It's the assurance of
1437 the stability and continued lifestyle is the expectation of any homeowner who buys in a master
1438 plan community as well as the assurance of its protection by city officials.
1439 From the beginning, we have not been against responsible development. We have just been
1440 against how EHB Companies has proposed to develop the golf course and the way that they have
1441 gone about it. The incompatible development of the Badlands Golf Course is nothing short of a
1442 full assault on the pocketbooks and lifestyles of those who live in Queensridge community,
1443 including the Queensridge Towers.
1444 But the much bigger issue is the assault this proposed development represents on the assured
1445 protections of master plan communities throughout the Las Vegas Valley. Tonight's decision is
1446 precedent setting and sends a clear message to the entire Las Vegas community. I know that you
1447 will consider closely all the details that have been put in front of you in making a decision
1448 tonight. When making that decision, please take into consideration the larger Las Vegas Valley
1449 and the multitude of master plan communities that exist there.
1450 Our master plan communities or other master plan communities are closely watching your
1451 decision tonight. And please don't let this kind of incompatible development in a suburban infill
1452 property be the legacy of this Council. I urge you to vote no on the applications before you.
1453 Thank you.

1454

1455 **MAYOR GOODMAN**

1456 Thank you.

1457

1458 **DALE ROESENER**

1459 Good afternoon, Madame Mayor and Council. Dale Roesener, 9811 Orient Express Court.

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1460 I have two comments not specifically related to the apartments/condominiums now. But the last
1461 meeting, I think it was in November or maybe before, but I delivered a drainage agreement, and
1462 it was between the Senior Tours players that developed the golf course. It was between the
1463 Peccole family, which was the predecessor to us buying our lot, and it was between the City of
1464 Las Vegas.

1465 To my knowledge, that was governing the golf course. It gave us, as an owner, it's recorded with
1466 our deed at 9811 Orient Express. It gave us indemnifications from whomever owns the golf
1467 course at the time or it was the Senior Tours that was the lessor, but we are a party to that
1468 agreement.

1469 I've heard Mr. Jimmerson, in some arguments regarding a lawsuit, say that the residents have no
1470 standing in the drainage. The drainage, that agreement is binding upon the heirs, successors, and
1471 assignees. I'm no attorney, but I've read some contracts, and I think that follows everybody for a
1472 long time.

1473 I know the City is working directly with the developer to try to understand how this drainage is
1474 all going to work, but our backyard, I've noticed in the 100-year flood plain, it will actually come
1475 up on to our property where the fence is in the backyard. It's blue up on to our property.

1476 So I'm worried that because of these — I don't know, maybe we don't have standing, because I'm
1477 not an attorney, but I believe that we're party to an agreement between the three of us, and I think
1478 it's important that we're not discounted on the drainage. This project will definitely change and
1479 modify the drainage. So I wanted to bring that up.

1480 Just quickly one other point, I know from just talking to some people — and I spoke with the
1481 developer's attorney at one of the meetings — they've spent hundreds of thousands of dollars,
1482 you know, trying to understand what their rights are, and I think the people from Queensridge
1483 have spent hundreds of thousands of dollars trying to discern these contracts.

1484 I think, by way of example, whether it's Canyon Gate or whomever it is, some of these other
1485 associations and individuals could be similarly affected. I think the Council, I would ask you
1486 seriously to consider the responsibility of a homeowner. Does the average homeowner have a
1487 couple hundred grand to go out and dissect a stack of agreements to get lawyers and maybe get
1488 the right lawyers, because we've got two lawyers with different interpretations of reality here,
1489 whatever it might ultimately be?

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1490 And I think you're putting a burden on society that is totally overwhelming. Two hundred
1491 thousand is more than most people's equities in a lot of their homes. And I don't know how things
1492 progress. And so I ask you to seriously consider the ramifications of this decision and try to think
1493 of the pragmatic, practical, you know, issues related to a homeowner in Las Vegas and how this
1494 is going to reflect on everything. Thank you.

1495

1496 **MAYOR GOODMAN**

1497 Thank you.

1498

1499 **ANNE SMITH**

1500 Madame Mayor and Council members, I am actually speaking for two of my neighbors, so -.

1501

1502 **MAYOR GOODMAN**

1503 Your name?

1504

1505 **ANNE SMITH**

1506 - I'm sorry. Anne Smith, 653 Ravel Court. So I'm speaking for my neighbors, so I would request
1507 some more time. Otherwise they'll come up anyway.

1508 Okay. So I had my comments prepared before I came, but they kind of went out the window
1509 based on the surprises that we heard tonight. So, based on that, we echo Shauna Hughes'
1510 concerns about the negotiations, progress, and their last minute surprise that we heard tonight
1511 about the 720 going to 435.

1512 We're concerned that are there really good faith negotiations happening when the developer is
1513 submitting another application that's piecemeal, while at the same time moving forward with this
1514 project? It's kind of the antithesis of a comprehensive project that you asked for last meeting.
1515 Yesterday, we spoke at the Planning Commission meeting, and we were admonished by
1516 Commissioner Trowbridge that it was our fault that all the applications got approved, because we
1517 voted down the original 250 concept of 75 houses. Then Commissioner Quinn stated she'd been
1518 threatened with a personal lawsuit if she didn't vote for the development. These comments cause
1519 us further concerns.

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1520 Number one, we didn't get to vote on the 250, but we gave input on the 250 and the 70, which
1521 was totally ignored by the developer.

1522 Two, we've been asking the City Staff and Council to protect the existing residents for 18 months
1523 now, and yet we are here because the piecemeal development is happening all over again and it is
1524 again a moving target. If there are going to be last minute changes, then the application should be
1525 abeyed so we have time to review it.

1526 So we oppose what's now proposed as the 435, because, based on what we heard tonight, there
1527 appears to be a threat hanging over us that while 435 is lower density, they're reserving the right
1528 to come in and have increased density in the next area over. We're on Ravel Court, which is
1529 facing this development, and it was adjacent to Development Area 3 in the original applications.

1530 So if they're increasing density as it moves closer to us, how is that going to be compatible with
1531 our homes? It's not compatible, and it sounds like the developer has agreed to meet the Towers'
1532 concerns, possibly at our expense. So we need Councilman Beers to look out for our interests
1533 too, not only on Ravel Court, but the other single-family homes and Tudor Park and Fairway
1534 Point. We need a buffer along that area, not more high density development.

1535 This unknown density is also going to affect traffic. We don't know what it's going to be yet
1536 because we don't have a full plan. City staff hasn't been considering the impact of the whole plan
1537 because it's as yet unknown.

1538 That same thing applies to the mitigation with the School District for the entire development.

1539 So, tonight, we kind of feel like we're a part of the survivor program, where every meeting a new
1540 curve is thrown at us affecting our survival. But I want to leave you with an image, as I did with
1541 the Planning Commission last night, for what this process has been like for the last 18 months for
1542 us. This developer has basically been cannibalizing our community, eating us alive, biting off an
1543 arm here and a leg there, slowly squeezing the life and the breath out of everyone in Queensridge
1544 and the Towers with every incremental application.

1545 So what we're urging you to do is to protect all of the existing residents, the surrounding
1546 community, which is affected by this development and all Las Vegas master plan communities.

1547 By doing that, we need you to continue to demand from the developer a comprehensive
1548 development plan before anything, including this 435, gets voted on and moves forward. Thank
1549 you.

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1550 **PAULA QUAGLIANA**

1551 Paula Quagliana, 9621 Orient Express. I think the thing that concerns me this evening is, and I'm
1552 certainly not going to try to trump the attorneys that I've listened to both last night and today. But
1553 the thing that does concern me is, as a resident to hear, for instance, Mr. Jimmerson put out a
1554 map last night to look at and says that the map says that we as homeowners knew all the time
1555 that this golf course could be developed.

1556 So I went home. I pulled out my huge, big document that was given to me by Greg Gorshin, a
1557 relative of the Peccoles when we bought our property. I'm sorry. I cannot find such a map. So I
1558 would just say this.

1559 Back and forth with the attorneys, I can't give any information about, but on a personal level, this
1560 is what this means to me. You saw what happened to my poor husband who spent 45 years of his
1561 life serving this community, trying to help people day and night, who have had cancer or all
1562 kinds of blood diseases. He deserved to be able to retire in a graceful way.

1563 I have been in the real estate business. When we bought our house, I hired an attorney to look
1564 over those documents. That attorney looked at all of those types of documents that were
1565 discussed today. Consequently, my husband and I bought this home. As a matter of fact, I have
1566 another attorney I hired and he said this. Those documents clearly represent that any decent
1567 attorney would tell you that you're buying into a project that you can live in, in peace and quiet.
1568 Well, right now we know that didn't happen. My poor husband almost died here in front of you a
1569 couple of months ago. Does that give you any idea how stressful this has been for these people,
1570 for myself and especially for him? I want to tell you that his heart actually stopped and his
1571 defibrillator went off, and if it hadn't, I think he would have died in front of you.

1572 Now, let me just say this. I am very fearful to think that this developer and his so-called rights
1573 are more important than our land owners' rights. We don't deserve this. I don't care what he feels
1574 his rights are. We have paid our taxes. As I pointed out at the meeting last night, we have paid
1575 over \$300,000 on one acre, many families have, while these developers have paid less than that
1576 on 166 acres for 20 years.

1577 Now, we paid all of that money for PR-OS R-PD7. That is what we paid for. Those zonings, even
1578 though your attorney tells me is general plan amendment, it's not zoning. I'm not an attorney, so
1579 please, I can't be expected to know the exact language. But PR-OS R-PD7 clearly talks all about

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1580 open space. It clearly talks about what homeowners can expect and what they did expect when
1581 they bought their properties.

1582 I didn't have stupid lawyers represent me, but yet they told me that what I was buying looked
1583 great. This is how it's turned out. My husband almost died in front of you. The stress of this has
1584 been terrible. I hate to say it, but, I mean, our lives have just not been the same. They've been
1585 terrible going through this for a year and a half.

1586 I'm not going to take up anymore of your time. I think that you know how I feel about this
1587 project. It should be denied for all the reasons that the attorneys, even if you don't believe that
1588 maybe one side is smarter than the other, your own rules, your own regulations, your own
1589 policies clearly point out what R-PD7 PR-OS is — open space. Vote against this.

1590

1591 **MAYOR GOODMAN**

1592 Two minutes. Yep.

1593

1594 **GORDON CULP**

1595 Thank you, Mayor and Council. My name is Gordon Culp. I'm an 18-year resident of
1596 Queensridge. I would like to use this exhibit. My comments will be very brief. I have one point
1597 I'd like to make.

1598 Well, first, I would like to let you know I am opposed to the application that you have before
1599 you, especially in light of any global plan. Even though we don't have a specific global plan now,
1600 we know from past submittals by the developer clearly show their intent to build to the west.

1601 This is the proposed project that we're talking about tonight. As they move west, they're going to
1602 continue with very dense development into what was called Development Area 2 and
1603 Development Area 3.

1604 You heard just a few minutes ago Mr. Jerbic explain that the low density commitment, lower
1605 density commitment in this area does not necessarily carry forward as the development moves
1606 west. They could seek higher densities to the west.

1607 In fact, their past submittals have shown dense development, multi-story condos next to single-
1608 family homes. Here, 75 feet from our home, there would be a multi-story condo, and there are 7
1609 houses on Ravel Court all suffering the same fate. Then there's another 30, when you add in

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1610 Tudor Park and Fairway Point, that are going to have multi-story condos literally in their
1611 backyard.
1612 The application you have for the 430 units tonight is a little bit like the camel sticking his nose
1613 under your tent. You know there's more coming. You could take a proactive step tonight.
1614 Obviously, we prefer that this not be approved. But if you consider any approval, include a
1615 requirement and a condition of that approval that the red zone here be maintained as open space.
1616 This is a way to provide a positive buffer between high density — we don't know how high, we
1617 know it's going to be high here — and the high density that you have here. It would give us some
1618 protection and the homeowners that are facing a terrible result in their backyard of high, multi-
1619 story condos. Thank you.

1620

1621 **MAYOR GOODMAN**

1622 Thank you.

1623

1624 **STEVE SEROKA**

1625 Madame Mayor, members of the Council, I'm Colonel retired Steve Seroka, and I live in the
1626 notification area for this project, and I am against this project.

1627 I have listened to my neighbors, and I stand with them against this project.

1628 As you have heard tonight, this process has been wholly unchecked and the harmony of which
1629 you speak is completely out of balance with the two sides. I know there are solutions to this
1630 problem that don't involve eminent domain or inverse condemnation, that have yet to be
1631 explored.

1632 Yet, our incumbent representative and Councilman continues to use large politician words which
1633 strikes fear into the heart of our constituents and enables him to apparently hide behind what
1634 appears to be an unwillingness or an inability to do his job, which simply put, is to listen to the
1635 people and represent them.

1636 As a result, I believe this project must be delayed until such time as the people get an opportunity
1637 to cast their ballot and select the most qualified representative to lead them through this process.

1638 I thank you for your time.

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1639 **DUNCAN LEE**

1640 Mayor Goodman, members of the Council, my name is Duncan Lee, and I live on 9631 Orient
1641 Express.

1642 For almost two years, my neighbors and I have borne the consequences and punish for the
1643 miscalculation and bad judgment. In the previous comment by the Applicant in this chamber, it
1644 seems that there was an understanding and implied consent for the City representative for the
1645 development of the Badlands Golf Course. Thus, naturally, he purchased 250 acres, according to
1646 my calculations, approximately at \$60,000 an acre, with then taking consideration of the water
1647 rights, where premier new residential development has sold for millions an acre.

1648 He took a calculated business risk for over, he took a calculated business risk and basically, my
1649 interpretation of those initial meetings talking about the Badlands Golf Course, it was that my
1650 interpretation, it was a done deal with or without Queensridge owner consent.

1651 So, for all of us, the most affected of these homeowners were not even part of those meetings as
1652 stakeholders or had any input. In the last year and a half, you have heard major objections by
1653 over 1,000 affected homeowners not associated with the developer. My Councilman has told us
1654 that as Queensridge homeowners, that we should take the financial hardship, because, because
1655 made by the decision of the developer and our City representative.

1656 So I ask, why us? Why not the initial decision maker? I ask the developer and the City be
1657 accountable and take responsibility for its miscalculation and misjudgment. Take your financial,
1658 take your fiduciary responsibility and do the right thing. The Queensridge residents, we never
1659 had any input on these deals. We didn't know about it until after the fact. And we have to bear the
1660 financial hardship by destroying this completed master plan community.

1661 So therefore, I ask you to deny this application and really try to negotiate as equal and really look
1662 at of a global plan for this entire community. Thank you.

1663

1664 **RAJ OPAL**

1665 Greetings, Madame Mayor, honorable Council members. My name is Raj Opal from 9221
1666 Painswick Avenue in the Queensridge subdivision.

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1667 I want to just leave the Council with just one thought. Imagine 1,000, just about 1,000 cars being
1668 unleashed on Rampart Boulevard every day. So that itself will basically tell you whether this
1669 project is feasible or not. Thank you.

1670

1671 **DEBRA KANER**

1672 Good evening, Mayor Goodman, Council. Debra Kaner, 660 Ravel.

1673 I fully agree with all of the speakers before me. But in addition, I would like to plead with you
1674 for your protection. Clearly, Mayor Goodman, your King Solomon plan that you tried worked,
1675 but it took until about two hours ago to be slightly successful. But we made a little step. But it's
1676 clear to us, as residents, that we still need your protection.

1677 It's my understanding that if you approve the 435, you are in essence setting a precedent for what
1678 goes behind our homes, and each Queensridge resident stands to lose something different. If you
1679 abandon our plan and the open space, then our immediate area faces a future 12-foot wall. We
1680 face a road. We fell, we feel, I'm sorry, we face multi-story buildings.

1681 Therefore, if you consider approval of the 435, I urge you to add on the condition that future
1682 development be required to have a buffer behind our homes with respect to height and density.
1683 Thank you.

1684

1685 **MAYOR GOODMAN**

1686 Thank you.

1687

1688 **RAY STAZZONI**

1689 Hello. My name is Ray Stazzoni. I've been gone for a couple of years. I came back, and I didn't
1690 realize it was a war zone back here with everything that's going on with Queensridge.

1691 I'm in the real estate business, and I did some quick math and the developer claims to have a
1692 zoning for 7.45, 7.5 acres. That's 1,873 approximately total units. I've noticed that he has gone
1693 from his 720 down to 435, I think he said, if I'm getting that number correctly. And, Madame
1694 Mayor, you were saying that that is a move in the right direction. The, I, however, in the real
1695 estate business, have, have read the developer playbook. He's following it to the letter.

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1696 When you have density, you go from 7.5 to 25 units an acre on 18 approximately of the 70 acres,
1697 he, then there's a precedent set for the rest of the 52 acres about what he called the 70, in
1698 allowing, you know, more density on there than the 7.49%. It looks good, but, you know, I'm
1699 seeing it as kind of, you know, duping the Mayor and everybody into thinking he's doing
1700 something good.

1701 If you have, if you have a global plan, which is, which is any City Council that I've dealt with
1702 that has demanded the global plan to show this is exactly on all of the acres, this is what's going
1703 to happen, this is, this is the density and these are the units that we want to build here so that
1704 everybody, including yourself, Madame Mayor, and I think you requested that last time.
1705 I wasn't able to be here last time, but you requested the global plan. And I would think that would
1706 be in everybody's best interest is, is to have that. And, in this particular case, I've noticed that,
1707 I've played the Badlands Golf Course before, and where they want to put these 435 units, my
1708 goodness, that, that, that would take some engineering for drainage; I mean some major
1709 engineering. And, and so I would think that it would be, it would be in everybody's best interest
1710 before you approve anything to take a look at the engineering for the drainage.

1711 I mean, if we have a 100 or a 500-year flood and those people living in those 400, the bottom
1712 part of those 435 units, I wouldn't want to be there, you know, unless there is a major drainage
1713 system to be able to handle that. And, I mean, what if somebody died because of that? I don't
1714 know, you know.

1715 You can play a lot of what ifs. But I'd want to have this, this is a big deal. I would want to have it
1716 very carefully, you know, have a global plan for this thing and so that you can see, everybody can
1717 see exactly what you're dealing with.

1718 Sorry I couldn't be here, you know, for the beginning of the, of the fun, but I'm here now, and,
1719 and I'm asking you to hold off any decisions until you get to that global plan. Thank you. I know
1720 you've all put a lot of work in on this, the Planning Commission and the developer and
1721 everything. And thank you for all your hard work that you put in here, but I believe we've got
1722 more work to do.

1723

1724 **MAYOR GOODMAN**

1725 Thank you very much.

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1726 **RAY STAZZONI**

1727 Thank you very much, Madame.

1728

1729 **MAYOR GOODMAN**

1730 We're going to have to take a five-minute break because the Clerk's request. Okay.

1731

1732 **LUANN D. HOLMES**

1733 [Inaudible] confirm he's on the line.

1734

1735 **MAYOR GOODMAN**

1736 Okay.

1737

1738 **LUANN D. HOLMES**

1739 Councilman Barlow, can you hear us?

1740

1741 **COUNCILMAN BARLOW**

1742 [Inaudible]

1743

1744 **LUANN D. HOLMES**

1745 Councilman Barlow, you're breaking up.

1746

1747 **COUNCILMAN BARLOW**

1748 Yes. I'm still on.

1749

1750 **MAYOR GOODMAN**

1751 Okay.

1752

1753 **LUANN D. HOLMES**

1754 Okay. Thank you.

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1755 **MAYOR GOODMAN**

1756 All right. Please, go ahead then. We'll just go ahead. That's fine. Thank you.

1757

1758 **TIM MCGARRY**

1759 Good afternoon, Council, Madame Mayor. Tim McGarry, 9101 Alta Drive.

1760 Sometimes, you know, we make good deals and bad deals, and sometimes the best deal we make
1761 is the one we don't do. Mr. Lowie shouldn't have done this deal. I think we all kind of know what
1762 happened. He got the best at two consultants. They got way out ahead of this deal before it was
1763 ever known to the public. They worked the Staff. They worked the Council. And they got way
1764 ahead of themselves and started making commitments. And you were, I think the City was
1765 making commitments to these guys, and now they're trying to use that against the citizens of this
1766 City.

1767 As you know, I made a run at the Las Vegas Country Club. I think you and your husband voted
1768 for us. We came in second place in a four-team horse, and the race is not over. So I know what
1769 the values are.

1770 Eric Dutt, who opened Badlands Golf Course, and I worked together for three years on the due
1771 diligence of trying to put that deal together. I myself have a lot of history with this golf course,
1772 because I was the person who found the 400-acre feet for the Peccole family and executed that
1773 transfer from the Tropicana Golf Course, with the Jaffe family out of Chicago, over to the
1774 Badlands Golf Course and changed the place he used and the point of diversion.

1775 And I can tell you that Bill and Wanda would be rolling in their graves if this was being
1776 considered. I mean, they helped me through school.

1777 So, in this application, Eric and I started talking a little more. We said Eric, what could you
1778 generate back up there? Because right now he's the GM of Cascata and Rio Secco and has run
1779 those courses in the black for about 17 years for Harrah's.

1780 I said how could you do on this project up here? He said, Tim, we can do about \$5.5 million, \$6
1781 million a year. We could, we could net about \$1.5 million a year. The multiples aren't as good as
1782 they once were in the golf industry. But he says the golf course is probably itself as a business
1783 deal worth about \$8 million to \$9 million.

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1784 Those water rights, those 400-acre feet, because another 280-some have been transferred away
1785 up to Los Prados, or in the process of being transferred, those 400-acre feet, those can be sold all
1786 day to the Water District at about \$9,000 an acre foot. If you sell them in smaller compartments,
1787 you might get more for it.

1788 What I'm saying, it's not a bad deal for this gentleman. It's just not maybe what he has penciled
1789 out in the tens or hundreds of millions that he thinks he's going to make on other people's backs
1790 for all these people losing the equity.

1791 Every administration wants a landmark deal. For you, Madame Mayor, this isn't it. Thank you.

1792

1793 **TERRY HOLDEN**

1794 Mayor, Council, my name is Terry Holden. I live at 9101 Alta, One Queensridge Place.

1795 My name was mentioned a little bit earlier. Frank Pankratz brought up that we had a meeting.

1796 Actually, we had a couple meetings. He was partially correct. I did say that I'm not against

1797 development, but I'm not for this development. This is the wrong development at this time. I said

1798 the overall density, we're kind of looking at the 720, the 435, but the global comes back to they

1799 want 3,000 units. They kept saying that. They keep coming back to that.

1800 And basically, it comes back to what we've been talking about, everybody. We need a master

1801 plan. We can't do this thing piecemeal. And, I guess the point that I really want to hammer home,

1802 a zoning change is not a privilege, and it's not a right. It's something that a developer has to earn.

1803 They are entitled to 7.5 units to the acre, max, barring any other litigation. They were at 40-

1804 something. Now they think they're a hero coming in at 23, but they're not entitled to that. They

1805 should be begging us for, you know, what, you know, for the privilege of getting that.

1806 And what my point is we're saying we want a, not this piecemeal, we want a master plan. If we

1807 give up the big bargaining chip right now and we can't get a master plan out of him at this time,

1808 how are we ever going to get a master plan out of the developer? We will be stonewalled. Thank

1809 you.

1810

1811 **CLYDE TURNER**

1812 Mayor, ladies and gentlemen of the Council, my name is Clyde Turner. I live at 9511 Orient

1813 Express Court.

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1814 I've got a couple of comments. One is a comment that was made by one of the people
1815 representing the developer. He said, they used it quickly, it says, it's just, it's just right next door.
1816 Well, it's not right next door. It's the middle of our community. So I'd just like to offer those
1817 corrections to his thoughts on words.

1818 But, you know, you've made a lot, even Bob Coffin's made a lot, out of the issue of what the
1819 legal is and what it's not, and you usually ignore the legal. And I appreciate in most cases where
1820 you do, and that's your general standard. But in all general standards, there needs to be an
1821 exception, and I think, in this particular case, there should be an exception, because the legal here
1822 is so huge in terms of the outcome of what goes on here. It's just unbelievable.

1823 I respect Brad Jerbic. He's a fine guy. But right now, his opinion, which is in direct opposition to
1824 all the legal research that has been done on the other side that you heard partially today is
1825 different from that. So Brad Jerbic's opinion right now would be the thing that kills us all if you
1826 rely on that and don't give some consideration to it.

1827 What I say to you is there's a few elephants in the room. It was mentioned earlier today. I think
1828 the elephants, basically are, there's more than this, but the few that are obvious to me is the right
1829 to develop or the right not to develop. You can't develop. I think that's a question that's on the
1830 table and it started out, we didn't start out to begin with, it came as we got into it.

1831 The first thing we were told, as we've said before to you, is that you had all approved this project
1832 before it was ever presented to you and that we had nothing to say about it. It was a reaction to
1833 that kind of a comment that we went and hired our own lawyers to do their own research, that
1834 came up with the answers that we now rely on. So I think that's a huge elephant in the room.

1835 The other thing is the controlling relationship of R-PD7 or zoning. That's a huge elephant in the
1836 room, because there's an interpretation there, again by Mr. Jerbic, and there's a different
1837 interpretation by a slew of attorneys that we've hired, not just one, but an array of them, that have
1838 a different opinion than Mr. Jerbic.

1839 Now, the point is it's, again, an item so big in terms of the outcome of what we're talking about
1840 here that it's just got to be adjudicated somehow, either here, as Mr. Coffin said, you can do it
1841 here. I don't care where you do it. Or you can do it in court. It could happen there. But I think
1842 maybe it should be done. It would be better if it's done here. I'm all for that, Bob. But to do that,
1843 you're going to have make the meeting a little longer.

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1844 The next thing has to do with the master plan, and that has to do with whether you have an
1845 overall master plan or whether you've got piecemeal building here. It's crazy to, you've heard it
1846 all, you've heard everybody tell you what it means. It reminds me very much of the magician.
1847 You probably remember, Mayor, we used to have at the Golden Nugget. He would come to your
1848 table and he would do this sleight of hand.
1849 What's been going on with this developer, as far as I'm concerned, is from the very beginning is
1850 he's almost as good as Mike in regards to sleight of hand and what's been going on as far as all
1851 those machinations are concerned.
1852 So I find that there's no substance in the item tonight. And I'm not against, by the way, I'm not
1853 against development. I want you to know that. That's not where I'm from. Even though I don't
1854 know whether he has the right to develop at all. But if he's going to develop, it should be a
1855 whole, thought through plan, and it should be very, very detailed so everybody can know exactly
1856 what it is. Thank you.

1857

1858 **LOUISE FRANCOEUR**

1859 Hi, good evening. Louise Francoeur, I live on Tudor Park Place.
1860 I support what everyone has said here today, and I want to speak more on a personal experience.
1861 I've lived in six master plan communities over the last 30 years. And part of moving into a master
1862 plan community is knowing exactly what you're going to get when you buy into it, whether
1863 you're buying a resale and you know exactly what is in your neighborhood, or you're buying a lot
1864 where it will be built, you see all the plans ahead of you and you know what you're going to get.
1865 And when I bought in Queensridge, I expected it to be the home I'm going to be in for the next
1866 20 years, thinking I knew exactly what I was getting.
1867 And I lived in The Lakes before. It was the other community I was living in, in Las Vegas before.
1868 I bought a rundown shack just to be on the water. It wasn't my lake, but it was a privilege I
1869 enjoyed. And if you remove yourself from this situation now, can you imagine in The Lakes if
1870 somebody bought The Lakes and you were told don't worry, we're just submitting plans for this
1871 finger over here. It's not going to affect the rest of the lake, but we're going to build right here in
1872 this little finger.

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1873 And to me, that almost seems to be what's presented here today with that little, what they're
1874 calling a standalone down in the corner. It's not really a standalone. And they've alluded to, you
1875 know, the future projects, and they've alluded to more in the future. It's not really a standalone.
1876 So this really is an important precedence. And what you decide here will affect probably not just
1877 master plan communities here, but it's going to set a precedence way beyond.

1878

1879 **TOM LOVE**

1880 Hi, how are you, Mayor, Mayor Pro Tem. Tom Love, 9828 Winter Palace. I want to thank you
1881 guys for listening to us today. It's a big issue for anybody that lives in that community and I do.
1882 As I told you previously, I bought my home from the Peccole family, took three years to actually
1883 put a lot of money, all of my money into remodeling this home before I moved in, then only to
1884 find out that the golf course was sold and closed. So what I thought would be a place to raise my
1885 family, and a place to put my money that maybe someday I could get it out, has really turned into
1886 the biggest mistake in my real estate career.

1887 Today, I was surprised to hear what they have now changed with the 11th hour reduction on the
1888 original 720. My personal opinion is that it's nothing more than a sham to make Mr. Beers look
1889 good. It will set a precedent not only for that piece, but moving forward for, as somebody said
1890 earlier today, the cannibalization of our neighborhood. Very disheartening, very disheartening.
1891 And I would ask you, as elected officials, to look at this developer, who we all have said and you
1892 guys have said he's seasoned. He's done all these great things in here. He is not a rookie. I would
1893 agree with some of the statements made today that he put the cart before the horse. He could not
1894 resist buying this 280+ acres and the water rights for \$15 million. You just have heard that those
1895 water rights are worth a lot of money.

1896 He is not going to get hurt. But if he does, that's not the Council members' fault, and it's sure not
1897 the homeowners' fault. Most people when they buy projects like this, they buy them with due
1898 diligence and ask for the zoning to be part of that. He bought it and closed, and now he's trying
1899 to get the zoning. That's backwards. That's not our fault. So I would ask for you folks to think
1900 about that.

1901 You may or may not remember November, when Mr. Lowie came up here when his application
1902 was declined, that he was very assertive and aggressive towards each and every member of this

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1903 Council. Personally, I was offended by the way that he spoke to you, but I was also left confused
1904 when he said, I personally spoke to you about this prior to ever buying this, and you told me that
1905 you would approve this. That's what he said.

1906 Then he said, furthermore, we've had more discussions, and we talked about lowering the density
1907 and you said you would approve it. And then he said to you, Ms. Mayor, that, I'll remove my
1908 application, and I'll go back in and try and get the 7+ units per acre. And at that point you said,
1909 we don't want that to happen and we kicked this down the curb so Shauna Hughes and Frank
1910 Pankratz could talk.

1911 In my opinion, you knew that was going nowhere. It's went nowhere for 15+ months, because he
1912 has told everybody here and you guys got to see what we've been telling you, because
1913 Councilwoman Tarkanian said, wow, maybe the homeowners are not making this up, when she
1914 saw what Mr. Lowie said and how that he responded to you when he did not get his way.

1915 We have put up with it for 15 months plus. We have been told by him and Mr. Beers, that seems
1916 to be very pro-developer, I'm not sure why, that it's a done deal. Believe it or not, we've heard
1917 that and it appears to be that way.

1918 And I would ask for you guys to send a message to the developer today that it's not a done deal,
1919 that you guys didn't do any deals previously, as we've been told, that we have a voice. And I
1920 would say do not approve this today, do not set a precedent so he can do one parcel here and
1921 another parcel here and another parcel there. He is taking the equity out of our pockets and lining
1922 his. He's sticking it to every homeowner in the community, and I take issue with that.

1923 I will also tell you, it may or may not make a difference, but I was told by a member of his staff
1924 that that golf course was very busy, and part of the reason they wanted me to support it was
1925 because there were so many golfers on that golf course they thought closing it down would give
1926 us more security from break-ins and things of that nature. So I believe it was a viable golf course
1927 that could still have made a decent investment in the long run.

1928 I don't really care about the investment, and I'm not against development. But what I am against
1929 is not being treated fairly. And I think most homeowners in here have just asked for a fair shake,
1930 and we do not believe that we've got a fair shake from him. If it took 15 months for him today,
1931 with no notice to anybody to say, okay, we'll go from 720 units down to 450 units, that's pretty
1932 much a Hail Mary. And I think that you guys need to send a message that we're not going to

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1933 piecemeal this, that he needs to really negotiate in good faith and fair dealings. This is common
1934 sense, common sense that he should deal with us fairly, with the community.
1935 And I would ask that you help us, as our elected officials, to really look at us and help our
1936 homeowners get a fair shake from this developer. And I really appreciate your time, and I would
1937 ask you to also just remember the way that he talked to this, you know, Council in November and
1938 understand that's the way that we've been treated and talked to for the last 15 months. Thank you.

1939

1940 **STEVE CARIA**

1941 Mayor, Council members, Steve Caria, 9101 Alta Way. It's pretty hard, well, and first of all, I
1942 guess I should recognize Councilman Barlow, are you there? Councilman Barlow, hello?

1943

1944 **COUNCILMAN BARLOW**

1945 Yes, I can hear you.

1946

1947 **MAYOR PRO TEM ROSS**

1948 I can answer for you.

1949

1950 **STEVE CARIA**

1951 No, I just wanted to check in and see if you were hanging around. A question I have, oh,
1952 Mr. Ross. Thank you. Can you tell me is this normal procedure to have somebody on the phone?
1953 I don't know. Is that? It is normal procedure?

1954

1955 **MAYOR GOODMAN**

1956 Yeah.

1957

1958 **STEVE CARIA**

1959 Okay. Good. Well, very good. You know, it's hard to pick up and to say what everybody else has
1960 said here. But I do want, I do want to make a couple of things known.

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1961 Last time we, I came to the Council, I brought in a petition with 100 names on it from
1962 Queensridge opposing the project. Queensridge isn't the only one. Queensridge Towers isn't the
1963 only ones in the Queensridge community that are objecting to this particular project.
1964 The entire Queensridge community is approximately 80% opposed, 80%. Please, listen to your
1965 constituents. Listen to the people that are in these neighborhoods. If this was your neighborhood,
1966 I can tell you, you would be wanting to stick up for what's right and what's just, and you've heard
1967 that from plenty of people.
1968 The last thing I want to leave you with. I've watched the video four times of the last meeting.
1969 And at the last meeting that took place, Mr. Lowie came on and some people would say rather
1970 aggressively to the Council and might have even so much have had a veiled threat as to what you
1971 promised or what you didn't. Now you know what we've been dealing with, and we're not
1972 Council members. We're just members of the community. We ask for your support. Vote no, no to
1973 the general amendment and no to 435 units. It's going to bring more development -
1974

1975 **MAYOR GOODMAN**

1976 Thank you.
1977

1978 **STEVE CARIA**

1979 - more egregious activity at this location.
1980

1981 **MAYOR GOODMAN**

1982 Thank you.
1983

1984 **STEVE CARIA**

1985 Thank you.
1986

1987 **LARRY SADOFF**

1988 Madame Mayor, Council members, my name is Larry Sadoff, and I live at 9101 Alta Drive.
1989 And although I strongly oppose the project, I'd like to leave you about three words, what is fair?
1990 What is fair? And I know you have a tough decision to make, but clearly, as Mr. Jerbic said, you

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1991 don't want to piecemeal this thing, but by piecemealing this project and saying, okay, we're going
1992 to do it from high density to medium density, but we reserve the right for high density later on.
1993 How can you make an informed decision without having a master plan showing all 250 acres, the
1994 3,000 planned units and saying, okay, let's get it all on the table; as we say in Vegas, put all your
1995 cards on the table? And let's say what's going to be there, what zoning changes are requested,
1996 realizing that plans change.

1997 So, I ask you, what is the reason, what is the benefit not to have that? Who does that benefit?
1998 And I think the answer is obvious. So I ask you, as you make your judgment, to consider what is
1999 fair? What is fair? Thank you.

2000

2001 **MAYOR GOODMAN**

2002 Thank you.

2003

2004 **PATRICK SPILOTRO**

2005 Can I put something up here? I also have something for all the Council members. Thank you.

2006

2007 **MAYOR GOODMAN**

2008 If you would, start his two minutes at this point, please. We'll pass those out if you give them to
2009 Mayor Pro Tem.

2010

2011 **PATRICK SPILOTRO**

2012 Good evening, Council members. Thank you for hearing me earlier. I'm Pat Spilotro from
2013 Silverstone Ranch, 8177 Bay Colony. I wanted to bring a couple of maps and some literature for
2014 the Council members to consider.

2015 I want you all to take a look at the very first piece of map that I brought for you, and I'm sorry it's
2016 that small. This is a picture of Queensridge. This is the Queensridge golf course before there was
2017 any houses. Included in your packet is a picture of Silverstone Ranch before there was any
2018 houses. Actually, there was three houses, because these golf courses were created about the same
2019 time, 1994, 96.

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2020 Silverstone Ranch was originally Mountain Spa. It went belly up. You'll see about six houses on
2021 there. They fought to get that thing built, but they built it as a planned community development
2022 with a golf course at the center of it. In looking at Silverstone Ranch and then looking at
2023 Queensridge, I'm hard-pressed to find the difference between these two. They're both zoned R-
2024 PD3.

2025 Now, at the October meeting, when I appeared before the Planning Commission, it was the
2026 hearing that actually got this thing to the City Council. At that hearing, they said the Silverstone
2027 Ranch was zoned CV. It's not zoned CV. It's not civic. It's not parks. It's not OS anything. We're
2028 entitled to 1,873 units. They built 1,526. That leaves us 347. Supposedly, Queensridge only has
2029 283 units available. I'm hard-pressed to find out how you're going to put 10 times that amount on
2030 open space that was entitled to these people when they bought their properties.
2031 These golf courses were built before the houses were built. Everybody that bought these houses,
2032 including the subsequent owners according to every court case I've examined out of like 30 or
2033 40, and I've brought some for Brad Jerbic also, every single one of those cases has said that
2034 owners of these properties have an equitable servitude. They have an expectation of a third-party
2035 interest of property right in this property. They cannot, that cannot be waived. You can't get rid of
2036 it in bankruptcy court.

2037

2038 **MAYOR GOODMAN**

2039 Thank you. And the Clerk missed your name. Would you be good enough to repeat your name
2040 again?

2041

2042 **PATRICK SPILOTRO**

2043 It's Patrick Spilotro, 8177 Bay Colony.

2044

2045 **MAYOR GOODMAN**

2046 Got it. We don't need the address, just name. Thank you.

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2047 **SALLY BIGLER**

2048 Good evening, Council. My name is Sally Bigler. I live at 9101 Alta Drive. I've been a resident
2049 of Las Vegas for 26 years. The last five have been at Queensridge.

2050 It's with a lot of disappointment that I find myself back here and away from my family and
2051 personal interest to keep fighting this battle, which is just defending my property and a peaceful
2052 existence and enjoying the open space in the home that we bought from the developer, directly
2053 represented by a real estate agent from the in-house developer who showed us beautiful charts
2054 and beautiful graphics and beautiful models, down at their model place on Charleston, the lovely
2055 amenities, the open space, the fresh air, the peace and quiet, the tranquility of living on an open
2056 space area would be for us.

2057 Now I find myself down here arguing that point. I applaud the Council members who have the
2058 integrity to stand up to this developer. Mrs. Tarkanian, I admire you so much. I think you are
2059 exemplary on this board. I watch your face. I watch how you watch us. You are attentive. I love
2060 you.

2061 We the people of Queensridge, the Towers, the residents around that, the Tudors Park, find
2062 ourselves being intimidated by a developer that has absolutely no intention of being a good
2063 neighbor, let alone enhancing the community and well-being of our neighborhood. He even
2064 sends his thug-looking armed guards to our peaceful meetings. We have never been threatening,
2065 but we stand there and there are men with sidearms attached to them at these meetings, pretty
2066 ugly. I didn't bring my gun and believe me, I have some.

2067 We are tired and we are weary of a constant fight to defend what we have purchased and chosen
2068 as a community. The target continues to move on this unprecedented project. It's Pandora's Box,
2069 and you all know it. We are confused and frustrated that some of you have been elected and
2070 trusted to our constituencies -

2071

2072 **MAYOR GOODMAN**

2073 Thank you.

2074

2075 **SALLY BIGLER**

2076 - and you bear no interest to what we have.

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2077 **MAYOR GOODMAN**

2078 Thank you. Thank you.

2079

2080 **SALLY BIGLER**

2081 I just want to say we absolutely oppose this. You know what's right. Mr. Beers, you represent us.

2082 You know what is right. And [inaudible].

2083

2084 **MAYOR GOODMAN**

2085 Thank you. Thank you.

2086

2087 **LEN SCHWIMMER**

2088 My name is Len Schwimmer. I live at 9301 Alta Drive.

2089 A lot of the things that hasn't been brought up and you may not be aware of it but I'm sure you

2090 are that this project got a 30-year completion. The builder wants to put a rock crushing machine

2091 there for 30 years. I don't know if you know what a rock crushing machine is, but the dust that it

2092 makes is unbelievable. You could never sell your unit. Nobody in their right mind would buy in

2093 Queensridge Towers if they knew what the project entailed. It's, it's, it's just a bad, bad situation

2094 for everybody, and I think we need to vote against it. Thank you.

2095

2096 **MAYOR GOODMAN**

2097 Thank you very much.

2098

2099 **CHRISTINA ROUSH**

2100 Good evening, Mayor, Council members. My name is Christina Roush. I live at 8901

2101 Greensboro Lane. I'm a neighbor in Tournament Hills, and I've watched with great interest for

2102 the last 18 months or so, maybe 15, what's happened here. Many of you know me. Mayor, you

2103 know me. Councilman Coffin, you know me. Steve, you know me. Ricki, are you still there? You

2104 know me.

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2105 **MAYOR PRO TEM ROSS**

2106 He's on mute.

2107

2108 **CHRISTINA ROUSH**

2109 Probably.

2110

2111 **COUNCILMAN BARLOW**

2112 Yeah, I hear you, Christina.

2113

2114 **CHRISTINA ROUSH**

2115 Hi, Ricki. My concerns, and I don't have enough time to state them all. I'm going to be brief, and
2116 some of this has been said before. There is a precedent that is to be set here, and it's not a good
2117 one. Mayor Pro Tem, if you end up having to deal with this in Los Prados or if your successor
2118 does, this is going to be a kick the can situation that just keeps going and going. This is
2119 inescapable for all of us.

2120 I'm not anti-development like many people have said here tonight. But I'm not anti-citizens'
2121 rights either. I think everyone needs to have a voice here and the voices need to be heard.
2122 That said, I do have a couple of points that I want to make, and I'd like somebody to provide me
2123 with the exhibits that were provided earlier regarding to the Applicant's map that was for the
2124 original application, if you could bring that up please, and also I want to see what the Applicant
2125 presented in terms of the adjusted acreage they're referring to when they were talking about the
2126 One Queensridge Place density. Can you give me those, please?

2127

2128 **MAYOR GOODMAN**

2129 Unfortunately, it's only public comment time. So I don't if know if, I mean, it will take up all
2130 your time.

2131

2132 **CHRISTINA ROUSH**

2133 I understand. But I think that everybody needs to understand is this based on net acreage or gross
2134 acreage, because when I saw the presentation earlier, and I want to make clarification on that or

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2135 at least have Staff address it. Maybe one of the Council members can ask that Staff address it. I
2136 think that we have a discrepancy when it comes to what the net acreage is, what the gross
2137 acreage is and how it's being calculated, because when there's disclaimers that say concept only
2138 and when there's a discrepancy between net and gross and zoning is really supposed to be on
2139 gross acreage, I think it's misleading.

2140 And I want to make a point and the point is this. What we have here is a breakdown of trust. So
2141 when the applicant presents information and it's inconsistent with what's been presented in the
2142 past and then it keeps changing and we keep going to meeting after meeting, we're in a situation
2143 where it sets not only a bad precedent for you to make a decision on, but it makes it impossible
2144 to know what we're actually even getting or what you're ruling on.

2145 And then the next person that buys the property is just going to come before you and say there
2146 was not proper clarification on this; I can't act on this. So I would encourage you to please have
2147 Staff clarify that. Thank you.

2148

2149 **PETER KOVACS**

2150 My name is Peter Kovacs, and I live in 9101, the Queensridge Towers. And I am a recent
2151 resident here in Las Vegas, and I really don't know how things are done here very well. But I
2152 observed two things today which I would consider highly unusual.

2153 The first one is that you have allowed the Applicant's representative to tell you what the School
2154 Board thinks about the effect of this development on the schools in your city. And I would think
2155 that you may want to hear and question directly the representative from the schools how this will
2156 impact it. It's hard to imagine that, with the density that is being proposed to come here, it will
2157 not be adversely affected. But let them tell you, not the developer's representative.

2158 The second is that the City Attorney made a statement that the worst possible outcome is
2159 piecemeal development, and yet that's exactly what you're doing. You are proposing to approve
2160 this development in a piecemeal fashion.

2161 I don't know what my position is on the new plan. Obviously, this plan just been put together
2162 without a great deal of thought. They have not even had time to change the labeling on their
2163 exhibits. That's how much thought went into it to propose it here.

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2164 Now, in Queensridge Towers, where Mr. Pankratz is our neighbor, we didn't know anything
2165 about this. He may have had a couple personal, casual conversations with some residents. But
2166 don't you think that the developer has an obligation to tell us what he's proposing, what his want
2167 before proposing for you to approve this?

2168

2169 **MAYOR GOODMAN**

2170 Thank you very much.

2171

2172 **PETER KOVACS**

2173 Thank you very much for your consideration.

2174

2175 **STEVE SHAW**

2176 My name is Steve Shaw, 9101 Alta Drive in the Queensridge Towers. I think that we're starting
2177 to hear a common theme develop tonight, and that is what Peter just said, require the developer
2178 to bring you a comprehensive plan covering the entire project. Do not allow this to be developed
2179 piecemeal. City Attorney Jerbic said it earlier, said it first, and it's kind of snowballed from there.
2180 He said, what's the worst thing that we could do for both the developer and for the homeowners?
2181 And that is to develop this beautiful property piecemeal.
2182 Turn this down. You're going to be asked to approve 61 single-family homes next month. Turn it
2183 down. Force him to come in, meet with all of us and collectively come up with a plan for the
2184 entire project. Thanks.

2185

2186 **MAYOR GOODMAN**

2187 Thank you.

2188

2189 **IRENE LEE**

2190 Hello, good evening, Mayor Goodman and fellow Councilmen. My name is Irene Lee. I just
2191 want to share a personal story about Queensridge.
2192 Duncan and I bought this lot 15 years ago so that we can raise our two children in the proximity
2193 of The Meadows School. We have so much great memories, and since we are one of the original

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2194 buyers from our lot on Orient Express, I have seen the neighborhood developed into a beautiful,
2195 beautiful neighborhood.

2196 And little did I know 15 years later there is this developer that has basically bought that land at
2197 an opportunity, at the cost and expenses of us. To me, I consider him an opportunist so that he
2198 can take advantage of this development and make this into a nightmare for everybody as you
2199 have witnessed today.

2200 So I urge you, Councilmen, please, do the right thing and for the people here and for the
2201 Queensridge and also not to set a precedent to the rest of the golf course communities in Las
2202 Vegas. And this is a really important day in our lives as well as the history of Las Vegas. So I
2203 please urge you to seriously consider your decision tonight. Thank you.

2204

2205 **JULIETTA BAUMAN**

2206 I am Julietta Bauman. I am on the Board of the HOA for Queensridge.

2207 We've heard monetary reasons, starting with the property values, the beauty of the community,
2208 how it's going to affect other PUD communities, many, many reasons as to why you should not
2209 grant this. Mine is all of those above, but we always forget the children. We forget our school
2210 districts, our education here. And I understand many of you and many out here are supporters of
2211 the private school system, but I support the local school system.

2212 Last night in our Commission meeting, Commissioner Trowbridge stated he felt that there were
2213 no children or very few children in Queensridge that attended the public schools or that were
2214 even living there. It disturbed me. I called the HOA. I asked our property manager. We have over
2215 600 to 700 students, public students that attend these schools.

2216 My daughter-in-law is a teacher at Bonner, which is the elementary school for this area. They are
2217 at 119% capacity. She has 39 students in here fifth grade classroom.

2218 Last week, the Health District was reported to come in and evaluate her class because she had 11
2219 children missing from the flu virus. They asked her, how could you possibly? What did you feed
2220 them? What did you do? How could you have 11 students out of this classroom? She said, look, I
2221 have 39 students in this class. When you look at the percentage, 11 is not a lot. We are like
2222 sardines.

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2223 So when Christine stated that she spoke with someone from the District, but it was the attorney, I
2224 advise you to request someone else, as the previous gentleman said, to bring someone who
2225 knows the District, who knows these schools, what the numbers are, and how these children are
2226 affected.

2227

2228 **MAYOR GOODMAN**

2229 Thank you. Thank you very much.

2230

2231 **JULIETTA BAUMAN**

2232 They should be one of our priorities.

2233

2234 **MAYOR GOODMAN**

2235 Thank you.

2236

2237 **FRANCISCO AGUILAR**

2238 Good evening, Mayor. Good evening, Council members. Good evening, City Manager. My name
2239 is Francisco Aguilar. I'm General Counsel for Agassi Enterprises, which is the management
2240 company for Andre Agassi and Stefanie Graf.

2241 We are great partners of this City, and you've supported us in our efforts with Agassi Prep. And
2242 we heard tonight from one of our big supporters, Chris McGarey. We do things in partnership,
2243 and we expect the best out of those of us who live here in this community. As an educator and as
2244 a group that's involved in education, we would never allow our students, who we want to be the
2245 best, to turn in an incomplete assignment. Here, the Applicant is not doing a complete job on the
2246 application and you should deny it. Thank you.

2247

2248 **MAYOR GOODMAN**

2249 Thank you.

2250

2251 **TERRY MURPHY**

2252 Good evening, Mayor and Council, Terry Murphy on behalf of the Frank and Jill Fertitta Trust.

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2253 Mayor Goodman, I met with you last week, and you asked me if I would help participate in
2254 trying to come to a settlement. As such, I attended the meeting last night before the Planning
2255 Commission. I was surprised and had never in my 30 years of public policy experience been
2256 asked to sign a confidentiality agreement. And I wasn't asked to sign one, but to participate in a
2257 confidential meeting for a public process. And I won't violate that, even though I'm not a party to
2258 it, except to that, echo what Shauna said. What we heard in that meeting was not leaning towards
2259 any kind of a compromise.

2260 And I want to say I think I heard the City Attorney say earlier that if this application is not
2261 approved tonight, we will be faced with piecemeal development. If I'm wrong in that, I
2262 apologize. But if that is what I heard, I would hope that it's this Council who makes that decision,
2263 not anybody else. This Council decides whether the residents are faced with piecemeal
2264 development.

2265 My client's home is closer in proximity than any other to the Area 3 that was identified, and he
2266 also faces the golf course in the front. Residents here have been living not only with a reduction
2267 in property value, but extreme stress in their daily lives since August of 2015.

2268 On behalf of my clients, we vehemently oppose the applications before you today. I wish I could
2269 stand here, I wish very much I could stand here today and say that we supported it and felt that
2270 there was a compromise and that I was, I went into that meeting last night hopeful.

2271

2272 **MAYOR GOODMAN**

2273 Thank you.

2274

2275 **TERRY MURPHY**

2276 I did not leave hopeful. Thank you.

2277

2278 **MAYOR GOODMAN**

2279 Thank you.

2280

2281 **BRAD JERBIC**

2282 If I could, Your Honor?

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2283 **MAYOR GOODMAN**

2284 Yes, Mr. Jerbic can clarify for Mrs. Murphy.

2285

2286 **BRAD JERBIC**

2287 Yeah, I do want to address this so there's no misunderstanding. If anybody took away a comment
2288 of mine as meaning if this isn't approved, it's going to go piecemeal; I have no opinion about this
2289 application. This is not an attorney thing. This is a planning issue. The only time we were
2290 involved was in giving legal advice as to whether it can occur or not.

2291 What I did say and I'll repeat again, is if there is not a development agreement, this will go
2292 piecemeal, and then it will be a vote at a time before the City Council. That's not to imply any
2293 obligation to support this application or not.

2294

2295 **BOB PECCOLE**

2296 I'm Bob Peccole. I live at 9740 Verlaine Court. Today I met with the Peccole representative that
2297 negotiated and sold the golf course to Mr. Lowie. And in the discussions I had with him, I said,
2298 did you ever make any representations that residential could be built on the golf course? And he
2299 assured me that he never made any representation to that effect.

2300 Now, you've got an application before you by Mr. Lowie to destroy the golf course and to decide
2301 to make it into what this development is that's before you tonight. The thing is you have to put it
2302 in perspective. When I say that, here's what I mean. Mr. Lowie comes in and complains that the
2303 golf course wasn't making money. So he wants to destroy it and build homes.

2304 For example, if I were to buy a lot and a home in Queensridge, I could come in and do the same
2305 thing. I could say, well, I'm not making enough money to pay my taxes. So I want to take down
2306 this home, and I want to put in a four-plex or I want to put in four condos. I would have the same
2307 right because I could argue, wait a second, my lot is an R-PD7, just like Mr. Lowie.

2308 Would you give me that? No, you wouldn't give me that. You'd laugh me right out of these
2309 chambers. You'd tell me to take a hike because it's absurd, and what he's doing is absurd. And
2310 you're going to allow it? No. You can't. That's the worst thing you could do.

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2311 **MAYOR GOODMAN**

2312 Thank you.

2313

2314 **FRANK MONTELLO**

2315 Hello. Frank Montello, 9103 Alta Drive, Unit 1202.

2316 This Council is held to a high standard, honesty, integrity and trust. Mayor Goodman, I was so
2317 distressed the last time I was here to see the developer challenge you and you change your vote,
2318 only to have Mrs. Tarkanian tell you not to be bullied and you changed your vote back. That says
2319 a lot about trust, and that's what this whole thing is about is trust.

2320 Do we really trust the people that are on this committee? Do we know what's really going on in
2321 your heads? Do we know what's going on in your hearts?

2322 I don't know. And I don't think you want to see this come to a point where the population here is
2323 going to really rise up and push back, because I think it's kind of close. People are being hurt
2324 financially, emotionally. Everyone is overtaxed for the Fire Department to the Police Department
2325 to the schools, the hospital, and our emotions are taxed.

2326 I'm pleading with you, think really before you cast your vote. Thank you.

2327

2328 **RUSSELL ROWE**

2329 Thank you, Mayor and Council. Russell Rowe here on behalf of the Suncoast Hotel & Casino
2330 and Boyd Gaming Corporation, speaking specifically to Condition Number 15 regarding traffic
2331 impact analyses. It's what Mr. Kaempfer referenced in the beginning a few hours ago.

2332 And our concern is related specifically to that condition, and the concern comes from what's
2333 been, I think, acknowledged on all sides of this issue, which is piecemeal versus global
2334 development. Our concerns with respect specifically to the intersection of Alta and Rampart and
2335 how that intersection is going to manage future development, understanding that you cannot
2336 necessarily condition a specific parcel for mitigation of potential future unknown development
2337 creates all types of problems for how we anticipate these projects.

2338 So our effort tonight and with the language that we gave to Mr. Kaempfer, which he said he's
2339 accepted, is to modify Condition 15 and require a new traffic impact analyses if access from this
2340 site is granted to Alta in the future, in any way other than non-emergency access, then there

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2341 would be a new traffic impact analysis triggered, which would have to be approved by the City
2342 Council at a public hearing.
2343 So I have given that language to Mr. Kaempfer, and I would like to submit it for the record. And
2344 if you choose to approve this, which we would ask that this language be included in the
2345 condition.

2346

2347 **MAYOR GOODMAN**

2348 Thank you.

2349

2350 **RUSSELL ROWE**

2351 Thank you very much.

2352

2353 **MAYOR GOODMAN**

2354 Thank you. So, Mr. Jerbic, that becomes a matter of the record anyway. And had Mr. Kaempfer,
2355 does he need on behalf of the client, developer, need to agree to that, or is this just out there?

2356

2357 **BRAD JERBIC**

2358 I would think that the Council could certainly impose it, but it would be best to ask
2359 Mr. Kaempfer if his client agrees to it first.

2360

2361 **CHRIS KAEMPFER**

2362 Good evening again. Your Honor, members of the Council, what Mr. Rowe just said is exactly
2363 what I offered initially, so we would agree to that at such time as there is a project that has access
2364 on Alta that that would then come forward as part of that project as a public hearing, and I've
2365 already pledged to Mr. Rowe that we would keep him fully advised as we go on.

2366

2367 **MAYOR GOODMAN**

2368 And if you'd repeat your name for the record so they know your voice.

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2369 **CHRIS KAEMPFER**

2370 Yes, I'm sorry, Chris Kaempfer along with Stephanie Allen. I do believe Mr. Jimmerson has some
2371 comments in reply to what we've just heard, and I don't know if Stephanie has anything else to
2372 say.

2373

2374 **BRAD JERBIC**

2375 I would like to say Mr. Kaempfer, while you're still at the microphone, I said earlier this is totally
2376 up to the Council, but what I said to the neighbors I also say to you, the legal argument is in
2377 court right now, and so I don't know that there's a real necessity to have a hearing here. If this
2378 Council wants to have one, that's a different story.

2379

2380 **CHRIS KAEMPFER**

2381 I'm not sure exactly what Mr. Jimmerson has to say. I do want to, I just, I do want to say
2382 something if I might, Your Honor, just for two minutes, if I might. The reason that we have this
2383 conflict of ideas that has turned itself into acrimony is because initially, when the HOA reached
2384 out to get an opinion as to what could be done with this golf course, they were told that there
2385 could be no development on the golf course.

2386 I'll never forget the day at the HOA hearing, when a gentleman asked, are you saying they can't
2387 build a home on the golf course? And the response from the attorney that was hired was, not a
2388 single home. That is the mindset. So I don't blame people for thinking that this is overreaching,
2389 it's unfair, it's whatever. That was the mindset that started this.

2390

2391 **MAYOR GOODMAN**

2392 Okay.

2393

2394 **CHRIS KAEMPFER**

2395 Now, conversely -

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2396 **MAYOR GOODMAN**

2397 Well, I really think we're at a point, I'm wondering why Mr. Jimmerson is, and obviously has the
2398 right, but what is to be gained? I think, you know, we've had so many meetings that are the same
2399 information, and so I'm wondering, Mr. Kaempfer, for Mr. Jimmerson, what is the purpose?
2400

2401 **CHRIS KAEMPFER**

2402 - all right, Jim, that's your call.
2403

2404 **JAMES JIMMERSON**

2405 Thank you. You've been, first of all, Jim Jimmerson, 9101 Alta Drive. I live in the Queensridge
2406 Towers in the neighborhood, my wife and I there. And I've lived in the Queensridge community
2407 for more than 15 years. I am also privileged to represent the Applicant, Seventy Acres, with
2408 regard to certain litigation that some of the objectors, who you've heard here today, have filed. I
2409 appreciate the court's comments, but you've spent the last three hours listening to a lot of legal
2410 argument by individual lawyers for the objectors as well as for individual owners.
2411

2412 **MAYOR GOODMAN**

2413 Which we have also heard before. I mean, we've heard again and again and again. And I'm very
2414 nervous, as your assistant here is putting up thousands of pieces of paper, and knowing that you
2415 have no idea how to be brief.
2416

2417 **JAMES JIMMERSON**

2418 I appreciate that.
2419

2420 **MAYOR GOODMAN**

2421 I'm wondering, I am wondering, with all deference, are you going to be. Here, wait, you're going
2422 to get some counsel.
2423

2424 **JAMES JIMMERSON**

2425 To answer your question, I had just a few points and I wanted these documents are to -

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2426 **MAYOR GOODMAN**

2427 Can I put the timer on?

2428

2429 **JAMES JIMMERSON**

2430 - the documents are brought here in order to put them into your court record or to your Council
2431 record only.

2432

2433 **MAYOR GOODMAN**

2434 Okay.

2435

2436 **JAMES JIMMERSON**

2437 They're not going to be reviewed. Let me begin by saying that I respect everyone who's spoken
2438 here, both objectors and in favor. But you need to look at the merits, and you've listened to three
2439 hours, and there's been almost no conversation or discussion about the merits of this proposal.

2440 And you do need to recall that this property is owned by three different land owners.

2441 The City demanded that three different land owners try to bring a unified project together, which
2442 came before you on October 16th in the Planning Commission and November 16th before you.

2443 And you were told not one house could be built on the property owned by my clients. So then my
2444 client simply requested that he be permitted to build on his property, which is what's on for
2445 today's conversation and discussion for you.

2446 So when you hear conversation about until you have an entire project, when that was the
2447 discussion, there was no agreement. There was vigorous opposition to the entire project. Now,
2448 today, you have just the reverse. There's very many of the same people giving exactly the
2449 opposite response, which in my judgment should be noted for the record.

2450 What you also should note is that you're being told about master plan, and there's such loose
2451 conversation about the word master plan. One of the reasons I think you should do is trust your
2452 Staff and trust your counsel in the sense that you all are not unmindful of the fact that there's a
2453 number of residents who have come here and have spoken against this project and many who are
2454 here would speak in favor of it. But if there wasn't a basis for approving it, this would have been
2455 an easy one.

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2456 But the reason is that because there is the absolute right to develop. There were two master plans,
2457 not one if you look at this project. One was south of West Charleston, which is called Peccole
2458 Ranch. One was north of West Charleston called Queensridge. So the property owned by my
2459 clients was never annexed into Queensridge. It is not subject to Queensridge. It is not subject to
2460 the CC&Rs of Queensridge.

2461 And when you hear so many of the Queensridge residents here claim we have rights. The
2462 arrogance of which I speak is the concept that you have rights within the borders of your overall
2463 community, not rights to tell an adjoining landowner how he or she must develop the property or
2464 to say you can't build a single home.

2465 Now what is built on my client's property is up to the seven of you. We respect that, and that's
2466 why we've taken a great deal of time and effort to demonstrate the merits of this.

2467

2468 **MAYOR GOODMAN**

2469 Thank you.

2470

2471 **JAMES JIMMERSON**

2472 Which is to show that it's compatible, to show the density is appropriate, and to show there's
2473 been multiple efforts to meet with the objectors to this and to present a project that makes sense.

2474 But when you particularly Mayor, all the Council, on November 16th beseeched all of us
2475 passionately to sit down and negotiate -

2476

2477 **MAYOR GOODMAN**

2478 Okay.

2479

2480 **JAMES JIMMERSON**

2481 - I believe that we used a common sense term of negotiate as meaning give or take. The objectors
2482 haven't agreed to any development. They haven't agreed to any concept of what can be built.

2483 They're continuously and doggedly against -

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2484 **MAYOR GOODMAN**

2485 Okay. I think we're at a point, and not to interrupt you, which I am doing, but-

2486

2487 **JAMES JIMMERSON**

2488 - I just want to note my objection to the fact that you've allowed the objectors to go on for hours,

2489 including many speakers for 30 and 40 minutes, and you're not allowing me to speak for even

2490 seven or eight minutes -.

2491

2492 **MAYOR GOODMAN**

2493 - I know.

2494

2495 **JAMES JIMMERSON**

2496 - and I live in the neighborhood as opposed to the consultants who don't.

2497

2498 **MAYOR GOODMAN**

2499 I know. But you've been most eloquent many a time, and we have heard you and we also have

2500 been sitting in these meetings for a year and a half. And so I see your hand is out. Does that mean

2501 something?

2502

2503 **JAMES JIMMERSON**

2504 May I then please just mark for the record a list of -

2505

2506 **MAYOR PRO TEM ROSS**

2507 Mayor, Counsel wants to say something.

2508

2509 **MAYOR GOODMAN**

2510 Yes.

2511

2512 **BRAD JERBIC**

2513 Mayor, if I could?

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2514 **MAYOR GOODMAN**

2515 Excuse me. Excuse me, if you could.

2516

2517 **BRAD JERBIC**

2518 Before we go any further, Councilman Barlow, are you still on the line?

2519

2520 **MAYOR GOODMAN**

2521 He's on mute. I know that. But I don't know if he's there. Can you come off mute if you're there?

2522

2523 **BRAD JERBIC**

2524 Councilman Barlow, can you hear us, and are you still on the line?

2525

2526 **MAYOR GOODMAN**

2527 No. It shows the line is active?

2528

2529 **COUNCILMAN BARLOW**

2530 Yeah.

2531

2532 **MAYOR GOODMAN**

2533 There he is.

2534

2535 **BRAD JERBIC**

2536 Okay.

2537

2538 **COUNCILMAN BARLOW**

2539 I'm sorry. I tried to take it off mute.

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2540 **BRAD JERBIC**

2541 I understand you have it on mute. Could you give us a head's up? I know that you're getting
2542 ready to take off pretty soon. Could you give us a couple minutes just before you have to shut off
2543 your phone so that we know what time the hearing needs to come to an end?

2544

2545 **COUNCILMAN BARLOW**

2546 I'm good. I'm approaching Security. So I'll probably have to just put you on mute for a moment
2547 as I go through Security, and then I'll pick it back up on the other side of Security.

2548

2549 **BRAD JERBIC**

2550 Okay. Thank you.

2551

2552 **JAMES JIMMERSON**

2553 Thank you. I just want to place into the record Exhibits A through FF, which has to do with the
2554 documents that speak to the client's right to develop, the fact that the PR-OS land use designation
2555 is trumped by the zoning rights, and that the PR-OS itself was placed upon this property
2556 improvidently and improperly, and also to provide you why 278A does not apply, including
2557 several planned unit developments that demonstrate that the city or county must pass an
2558 ordinance before it can exist, a planned unit development.

2559 And what a planning unit development's CC&Rs and ordinance looks like, and we have five or
2560 six brought to you, none of which exist here, which in our judgment discredits the arguments
2561 being made by many of the objectors. Thank you, Madame Mayor.

2562

2563 **MAYOR GOODMAN**

2564 Thank you. Thank you.

2565

2566 **JAMES JIMMERSON**

2567 Thank you, members of the Council.

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2568 **MAYOR GOODMAN**

2569 So I am going to close this public hearing, and I am going to say a few words and allow Council
2570 to speak as well.

2571 First of all, certainly, understand as we have for the past year and a half the sensitivities of all of
2572 this issue. As it was said at the onset and introduced, while I had asked Mrs. Hughes and
2573 Mr. Pankratz to work towards some type of meditation and some give and take, I don't know who
2574 said it, but to my knowledge there has been no deal, not ever an inference that was a deal, or that
2575 I had ever inferred that I was leaning one way or another.

2576 I tend and my record for six years has always been I don't even participate usually in the
2577 briefings at City Council, because I want everything among all seven colleagues together, where
2578 I can hear all the information myself and not be swayed by anything that's going on by anybody
2579 with a private agenda.

2580 So I take a great deal of pride in the fact that I've been looking at this, and I'm only speaking for
2581 myself, understanding what has been happening, knowing what we are advised by our attorney,
2582 who I do have to have faith in because he's our City Attorney, with his evaluation for us and then
2583 talking with our Planning Department as to what's been going on.

2584 I have said oftentimes, and I'm going to repeat it, the best thing for the entire development and
2585 for the security of the homeowners is to have a general development plan. That is the healthiest,
2586 safest, most honorable way to proceed. But what I did say to both Mrs. Hughes and in public
2587 hearing was I wanted to move forward.

2588 From everything I understand, Queensridge is subject to some developer, be it Mr. Lowie and his
2589 company or somebody else. It is subject. Now, whether or not it's a losing golf course or portions
2590 of it can be saved as golf course, that is not for me. What I asked for was let's move the needle
2591 If the needle doesn't move, I am very opposed to anything going forward. But we heard tonight
2592 that we are able to move from the 720 to a 450 on the development of that northeast corner. We
2593 further heard and reaffirmed by Mr. Kaempfer that the density for the property is medium
2594 density.

2595

2596 **CHRIS KAEMPFER**

2597 Yes, ma'am.

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2598 **MAYOR GOODMAN**

2599 For the entire property?

2600

2601 **CHRIS KAEMPFER**

2602 All 17.49 acres, yes, ma'am.

2603

2604 **MAYOR GOODMAN**

2605 And how about the remaining property, that will have to be variable as you come back? But can
2606 this be achieved through a master plan, a general development plan?

2607

2608 **CHRIS KAEMPFER**

2609 Ma'am, we are hoping for that. As someone -.

2610

2611 **MAYOR GOODMAN**

2612 Okay. That's -.

2613

2614 **CHRIS KAEMPFER**

2615 - now, you know, I -.

2616

2617 **MAYOR GOODMAN**

2618 - no, no, no. We've come somewhere, and, Mr. Jerbic, I am going to ask for your assistance here
2619 on this, because my personal feeling and I have no idea who's voting with what. I know there's a
2620 tremendous sensitivity to the homeowners and their investments and everything we've been
2621 hearing for this year and a half. I do know the developer, and I don't think I've ever had so much
2622 as a cup of coffee with him on a friendship basis, but I've seen his projects go. I never gave any
2623 indication that I was going to be supportive. I did see the early plans. I thought they looked
2624 beautiful when they were presented back a year and a half ago.

2625 But what I have seen finally is movement. I would hope the entire acreage would never be
2626 developed piecemeal. But what I feel is we've made progress, and it's good progress. And so

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2627 flood control, traffic, all these items that everybody's brought up, that's all subject to how the
2628 development proceeds according to what's been agreed to.

2629 I don't want to see piecemeal development. But I know for any developer it has to pencil out.
2630 Now, we hope it doesn't pencil out to the point that it's ruination for everybody else who's living
2631 in this beautiful community. I cannot believe that that will happen. And when I said, look, these
2632 are votes that I asked for something to happen, and if it did not happen, I was absolutely opposed
2633 to it all. But we have a section and a piece that is being reduced in half almost and that a
2634 guarantee on that of medium density.

2635 As each piece were to come back, it is the prerogative of this Council, in respect to everything
2636 you've been saying, to deny any further development. That is what is here. That is what I am
2637 seeing. And I think the development the way it's been presented, you will probably be able to be
2638 hearing more from us. I'm sure you'll be hearing more from the development, developer as it's
2639 going forward, but the mere fact of the change, no exit off of Alta, I mean there is movement.
2640 And what we want to do is save every piece of property and make it the way you intended it to
2641 be and not be piecemeal in this development.

2642 And so I wanted you to know there was never any deal. But what I did ask of Shauna Hughes
2643 and Frank Pankratz, as we went through, I kept asking them or our City Attorney or Mr. Perrigo,
2644 is there any movement? And I heard again and again and again, no. And then, in my opinion,
2645 that was it.

2646 And whether it's at last minute, it is, in fact, here for that development and that is a step.
2647 Everything from that piece on has to come back here. That piece has to pass flood control.
2648 I don't know all the parts of everything that it has to go through to accomplish and develop. But I
2649 want you all to know that your anger may persist. I know what I was wanting to see happen and
2650 a movement and an acceptable use of that piece. I don't want to see it piecemeal. I don't want that
2651 for my vote coming back here as piecemeal. I want to see a general development agreement.
2652 So, at this point, what I'm going to do is hear from any other Council member. And Mr. Jerbic or
2653 Mr. Perrigo, is there anything you want to add?

2654 And how do we handle this with Councilman Barlow on the phone? I know you're on mute
2655 again. If, in fact, because of the timing and I have no idea how long everybody will be speaking,
2656 my biggest concern is, if is that if this doesn't pass, it doesn't pass.

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2657 If it does pass, my hope is that the community will still get together. We have great suggestions
2658 that have been given to me about the development. I hope those will be put out on the table. We
2659 have some suggestions even from Council that need to be explored. And the main thing, it needs
2660 to continue to work harmoniously on both sides of the table.

2661 So, Councilman, are you there?

2662

2663 **COUNCILMAN BARLOW**

2664 Yes, ma'am. I'm here.

2665

2666 **MAYOR GOODMAN**

2667 And what time do you turn off your phone?

2668

2669 **COUNCILMAN BARLOW**

2670 I'm still good for at least two more minutes.

2671

2672 **MAYOR GOODMAN**

2673 Whoopy.

2674

2675 **COUNCILMAN COFFIN**

2676 Then use it.

2677

2678 **MAYOR GOODMAN**

2679 Two minutes?

2680

2681 **COUNCILMAN COFFIN**

2682 Yeah, let him talk.

2683

2684 **MAYOR GOODMAN**

2685 Okay. So do you want to say something, Councilman Coffin?

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2686 **COUNCILMAN COFFIN**

2687 No, I want Ricki to use his two minutes.

2688

2689 **MAYOR GOODMAN**

2690 Any comments, Councilman Barlow with your two minutes?

2691

2692 **COUNCILMAN BARLOW**

2693 I would like to say that I believe that the development, I mean that before today, that the
2694 developer, in my opinion, you know, through the research that I have been able to do over the
2695 course of the last 45 days, that they do have an opportunity to develop. I would like to see more
2696 of a master plan as what the residents are asking for. And at the same time, I recognize that the
2697 residents are very concerned in relation to their property values and also wanting to see a master
2698 plan development in full scope, you know, somewhat scaled in relation to what they'll be looking
2699 at into the future. And so I understand that as well.

2700 And so, you know, I'm really torn between both the opportunity for new development to come
2701 online and a loss leader of a golf course, but at the same time, I'm very sensitive to the emotions
2702 and the real need from the residents and to their property values and what they basically bought
2703 into from a lifestyle standpoint. So I just really appreciate everyone that has come forward to
2704 share their concerns from both sides and, you know, provided Council with an opportunity to
2705 hear in detail their position.

2706 And you know, I've always stated whenever these highly sensitive communities come before the
2707 Council for us to make a decision, there's going to be some people that, you know, are mad at the
2708 voting, and there's going to be some people glad at the voting. You know, and that's the
2709 unfortunate part. When you can't work things out, the Mayor and the Council have to make a
2710 decision, and that's what we're elected to do, make a decision.

2711 I believe, at the end of the day, the development and the community will still have to work
2712 together in order to really bring a development that everyone can be proud of at the end of the
2713 day. Thank you, Mayor.

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2714 **MAYOR GOODMAN**

2715 Thank you, Councilman. Comments? Yes, Councilman Anthony.

2716

2717 **COUNCILMAN ANTHONY**

2718 Yeah. Well, I'm assuming there's going to be a motion tonight. So I just want to state my case for
2719 how I'm going to vote on this.

2720 So, first of all, I appreciate Councilman Beers pressuring the developer to reduce the number.

2721 That is definitely very helpful and to turn it into condos.

2722 I know we've been going around in circles tonight about major modifications and 278A's and
2723 zoning and whether, you know, there's a right to build and there isn't a right to build. All due
2724 respect to attorneys, I get headaches listening to all the attorneys up here. But you guys have got
2725 to state your case. And I'm just working under the assumption that EHB owns the property. They
2726 own the 270 acres, and they can build on it.

2727 But what keeps coming back in my mind is that Queensridge is a master plan community. It was
2728 master planned. It was built out. Everybody that purchased property in Queensridge in that
2729 community knew exactly what was going to be next to their house, and everybody had a comfort
2730 level when they purchased property in there and what was going to happen.

2731 But given that EHB can build on those acres, I just think it's reasonable and I think it's fair,
2732 without using any legal terms, I just think it's reasonable and fair that the developer plan out the
2733 entire 270 acres so everybody can see what they want to do and we can have a conversation
2734 about the entire project, because we're talking about traffic and crime and education and schools.
2735 We don't know what that's going to be unless the entire plan is master planned. We're not going
2736 to know what the traffic issues are going to be unless we know what the entire 270 acres is going
2737 to be.

2738 So if this particular project was it and there was going to be no more development on the rest of
2739 the acres, then we would actually know the traffic plan, but that's not the case. There was another
2740 development brought in last night.

2741 So I just don't think we should be doing this as a puzzle where we drag everybody down here for
2742 every single development and meet until midnight on every single thing that's going to be done
2743 in there. That's just not fair to everybody. It's just not the right thing to do.

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2744 So I am really going to focus. I'm not going to support this project. I'm going to focus on the
2745 developer bringing back what they specifically want to build and where and completed with all
2746 the plans for a master planned community inside Queensridge. So I'm just going to wait for that.
2747 So that's how I plan on voting if there is a motion to do it.

2748

2749 **COUNCILMAN COFFIN**

2750 Mayor, thank you for recognition. I don't know if your intention is to hold a vote on this tonight
2751 or to hold it over to the next meeting or exactly what we're going to do. So, like Councilman
2752 Anthony, I'll state my position, at least, reserving the right, you know, to discuss this and say
2753 more and maybe ask for more testimony the next time we meet if we don't finish it tonight.

2754 I am opposed to the development, and yet I am for something. There's not enough movement to
2755 break the constipation here. My mother would have said, "Robby, get down on the floor, pull
2756 down your pants because here comes the enema." But I won't, not anymore.

2757 So I'll just say this. This builder, this developer owns the property. That's incontestable. He has
2758 some rights, and I don't know what they are. Some of them are contestable and probably some
2759 are incontestable.

2760 So I'm not a lawyer. I've just seen a lot of these kinds of fights. So this was pretty obvious to me
2761 November 18th that I would try to make an effort to see if I could stick my nose into the thing
2762 beyond what my charter says. I'm a freelancer, but look; this is Councilman Beers' ward. We
2763 tread very lightly before we go in and interfere or at least try to maneuver something in
2764 somebody else's ward. We have great respect for each other for those reasons, and there's a lot of
2765 trust up here.

2766 Councilman Beers believed very strongly in the rights of the developer, and I've known him for
2767 20 years and he's an honest politician. He believes what he believes, and it is there that he makes
2768 his mind up.

2769 Well, I try to be that way too, but I'm also pretty pragmatic. And I know some of the things I
2770 have said may make people who are opposed, the residents happy, but I have also told in private
2771 some things to the developers that are things that might make them happy.

2772 So we have to be pragmatic here. I've had two meetings with EHB since that November 18th. I
2773 think the first one was in maybe early January. I revealed to them what I felt could be a solution

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2774 to move to get my vote to move forward. I obviously want a complete agreement, development
2775 agreement, but you can't always have a full and complete one if, in fact, that means everything
2776 has to be dotted and crossed. It means words exchanged, handshakes occur, witnesses swear to
2777 the accuracy of things.

2778 And so there are things that can be done on a handshake, just as Mike Gaughan reduced the size
2779 of his sign and the wattage to the sign for the Suncoast for the Peccoles, because they asked him
2780 too on a handshake. That's how things can be done.

2781 So I approached EHB and said, you know, you guys acted like jerks at the meeting, but I think
2782 we all have to realize the tensions are high and everybody is a jerk at times, including Bob
2783 Coffin. So I said, here are some thoughts I want you to try. So I met with Frank Pankratz and
2784 their Chief Financial Officer, not Mr. Lowie. And we met for almost two hours at EHB
2785 Properties. I looked at their maps, and I scratched out a little sketch or two about how I felt like
2786 maybe there are things you could do that could conceivably help the thing go along.

2787 Primarily, I said the appearance of everything is just totally unknown to people. There can be no
2788 argument that they bought property, and I'm talking about the property owners today, whether
2789 it's 10 years, 15 or 20 years ago, they bought property based on sales brochures, which said you
2790 are going to live in and you will live in a private, gated golf course community with a European
2791 flavor. That was an element that seemed to be common throughout all the pitches over the years.

2792 And so I said, well, why don't you give them what they bought? Forget what your development
2793 will look like on the inside to the new people that you're trying to sell homes to, if you're given
2794 this thing, but rather think about what it looks to the people whose front yard are going to face
2795 your backyard. That's the intangible that people want. You can make people happy sometimes if
2796 you take this pig and put a little lipstick on it.

2797 And I'm not trying to deride your development, EHB. What I'm saying is that it's a beautiful
2798 development that you want to do, a little big for that area, but I'm going to assume you have
2799 some rights.

2800 And here's where the diplomacy and the pragmatism has to come in. You have to meet them
2801 partway. You have to at least please them in the aesthetics of what you're doing. So build for
2802 them, not just for the people you want to sell to.

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2803 A week later, I got a call from EHB, I think, or two weeks later. Yohan wanted to meet. So I met
2804 with Yohan and Frank and the COO. There were no lawyers and lobbyists at the first meeting.
2805 Jay Brown came to the second meeting to listen. I said you've got to be there just in case Yohan
2806 wants to throw me out physically.
2807 But we had our good exchange, and I repeated and tried to emphasize that you have rights, but
2808 you've got to stop treating these people like a bunch of unruly Palestinians getting thrown, you
2809 know, a concrete block settlement thrown into their land right there. Yohan and I got along pretty
2810 well. The thing is that we didn't reach an agreement, except that they were going to show me
2811 something afterwards and I never did hear back.
2812 So I guess that, you know, what I did was I thought too highly of my own opinion, and that's
2813 normal. But on the other hand, if you don't stick your neck out a little bit, no one gets anywhere,
2814 because I knew then after that meeting on the 18th, it would only be the Council members
2815 making this decision. There would not be any compromise out there amongst the lawyers,
2816 lobbyists, and residents. There's no way and it shows tonight.
2817 So if the Mayor wants to vote tonight, I'm a no vote. If we want to vote in the future, I hope that
2818 we would have time to have a briefer discussion but, nevertheless, an illuminating discussion. I
2819 just wanted to make sure that the people here wouldn't be too happy if I said to them, you aren't
2820 going to get all you want; you aren't going to get zero development, in my opinion. There should
2821 be some or there could be some. Its how it's done. And therefore, I'm saying it in public what I
2822 said in private, that not everybody would be happy. And that would be good, because that's how
2823 I've always worked.
2824 So, Mayor, I will respect whatever you decide to do if you want to have a vote tonight. You know
2825 my position. I would like to think that even after we adjourn tonight, that if we don't vote, there
2826 will still be movement, because after all we've got to have more.
2827 So I'll let it lay there. Thank you.
2828
2829 **MAYOR GOODMAN**
2830 Thank you very much. Councilwoman?

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2831 **COUNCILWOMAN TARKANIAN**

2832 When I met yesterday with Applicant representatives to discuss the changes being made that
2833 would be announced tonight for this application, it seemed to me a viable solution for a small
2834 part of the Badlands. I was relieved. I thought this could be good for us all.
2835 Since that time, however, the Planning Commissioner for Ward 1 called me, told me, and she
2836 also stated at the Planning Commission last evening, although I couldn't get it because of some
2837 mix-up with clocks and Channel 2 and 10 of 1002, but anyway she also stated at the Planning
2838 Commission, which I thought took courage, that she felt that she had been threatened.
2839 She told me that after meeting with the Applicants and during that time, asking pointed questions
2840 from the application backers, she was told if she voted no on the project, she would be sued. She
2841 regarded this as a threat, as would I. She is a voluntary citizen on a City Commission, not a well-
2842 funded individual. Being told by a high-powered person that you would be sued if you voted no
2843 is something that I think would put a scare in most people.
2844 Today, before this meeting, shortly before this meeting, I received a message from a very, very
2845 highly respected individual, a professional within our community that I feel a lot of you in this
2846 room know. That person felt they also had been threatened. They felt similarly. That makes me
2847 think did the school representatives who gave one answer and now have changed, did they
2848 somehow feel threatened or concerned?
2849 I can tell you as a School Board member, who once represented this very area, who opened
2850 Bonner Elementary School and all the other new schools near there, that if you follow this
2851 through without thinking more carefully about the results educationally, you will find a big mess.
2852 And I will also tell you that I know that the people at the School District know that. I was part of
2853 a group when we were growing so rapidly, we built 16 schools in one year, I was president at the
2854 time, and imagine that and how many were in the northwest area. So I have to feel there was
2855 something strange in that answer that came from the School District.
2856 And all of this reminded me of a situation in which I was involved as a very new Council person.
2857 It was an item on the agenda that I didn't feel was quite right. The answers didn't all mesh
2858 together. And as it turned out, even though originally I lost 6-1 on that, as it turned out, I was
2859 found correct. If anybody wants to check that out, there was a state investigation, and it would
2860 cover the whole thing.

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2861 I feel the Badlands project is so important that it should be considered as a whole and not
2862 piecemeal. And if we go along this way tonight, it's piecemeal. You've already taken part of it.
2863 And so I could not vote for this project tonight. I feel we have to be very careful that we're fair to
2864 both the developer and the citizen residents. A yes vote tonight starts the piecemeal and what else
2865 is taking place as part of the other separate parts.
2866 So, with respect to the Mayor, who I do respect, I disagree with her. I do agree with Councilman
2867 Anthony and also Councilman Coffin. It is good and it is fair to consider all of the land together.
2868 That's the only way I feel we can do it right. Let's take the time to do it right. What's the big
2869 hurry when so many people's lives are affected?
2870 It's extremely important to build and to have the information. Let's have facts. Let's not get a
2871 general statement from the School District. Let them give you the facts of how many students
2872 require a brand new school. And I'm going to tell you, from the facts I had before, that you need
2873 to have more than one school if you do this the way this has been already discussed.
2874 So I just want to say let's be fair. Let's not be mean with each other. Let's try and start anew and
2875 let's do it all together. And so I would agree with Councilman Anthony and Councilman Coffin.
2876

2877 **MAYOR GOODMAN**

2878 Thank you. Very nicely said.
2879

2880 **CHRIS KAEMPFER**

2881 Your Honor?
2882

2883 **MAYOR GOODMAN**

2884 Yes?
2885

2886 **CHRIS KAEMPFER**

2887 The only thing I'll comment on is Councilwoman Tarkanian, you are certainly entitled to your
2888 opinion and your comments, and to the extent they agree with comments made by Councilman
2889 Anthony and Councilman Coffin, I respect that. I trust you're not making the suggestion that
2890 Stephanie Allen would misrepresent something to this Council that she appears in front of

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2891 regularly. She just said what the School District told her. So I would trust that's not the
2892 representation.

2893

2894 **COUNCILWOMAN TARKANIAN**

2895 Absolutely not. I did not say that she told us anything untrue. The answer she gave was a very
2896 general, nebulous type of answer that I've heard come from the School District and the School
2897 Board before.

2898 What I'm saying is you've got no specifics. And sometimes people feel intimidated, so they don't
2899 give the specifics because they know you want it a certain way.

2900 So no, I have nothing against Stephanie at all. I think she told us exactly what they said. But, you
2901 know, I've also learned and I learned it in 2005, that even though you respect and you trust the
2902 people who work on your staff here, in the School Board area, even so, good people, intelligent
2903 people make mistakes sometimes with information or they might feel intimidated. And that's
2904 what I'm going on, but certainly not anything against Stephanie at all.

2905

2906 **MAYOR GOODMAN**

2907 I'd like to ask, if I might, Mr. Perrigo, you were there last night. It's very disconcerting to me that
2908 somebody was intimidated to a point of a threat. Is that a matter of record? Did something occur
2909 where somebody was threatened?

2910

2911 **COUNCILWOMAN TARKANIAN**

2912 Did she say she had been threatened? That's the question. She wasn't threatened last night. She
2913 told about feeling threatened.

2914

2915 **TOM PERRIGO**

2916 Mayor, that's right. I don't recall hearing anybody threaten anybody last night, but I do believe
2917 Commissioner Quinn did represent feeling threatened, but the details weren't clear to me. Maybe
2918 Mr. Jerbic would have more.

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2919 **BRAD JERBIC**

2920 And I wasn't present for it either, but I was told that she had been told that she could be held
2921 personally liable for her actions as a Planning Commissioner. I wasn't there for it. We didn't flesh
2922 it out. But that's what I was told by Vice Counsel.

2923

2924 **COUNCILWOMAN TARKANIAN**

2925 And that, and she told me, and that she would be sued.

2926

2927 **CHRIS KAEMPFER**

2928 Your Honor, I was there when it occurred -

2929

2930 **COUNCILWOMAN TARKANIAN**

2931 You know, don't twist what I'm saying, please.

2932

2933 **CHRIS KAEMPFER**

2934 - and last night, Commissioner Trowbridge said it was I who said it, and I wasn't threatening her.

2935 I was telling her that if, in fact, your City Attorney gives you advice and you go against that

2936 advice, there are cases that show or say that you might have personal liability. Commissioner

2937 Trowbridge is the one who said I said it. It wasn't said by Mr. Lowie or anybody on our side. And

2938 he was merely saying what he believed to be the law. So, I mean, I don't know why

2939 Commissioner Quinn viewed it that way. Her own Commissioner said it.

2940

2941 **COUNCILWOMAN TARKANIAN**

2942 You know, I could have felt and I did feel, well, maybe she misinterpreted this. She called me to

2943 ask me if she could say it at the Planning Committee. That's how, I think, how conscientious she

2944 is about what she does. I said, did it truly occur? She said, yes. And I said to her, then you say it

2945 at the Planning Committee, because it takes courage sometimes to tell the truth.

2946 And if that had just been the lone thing, that would have been one thing. But not adding what I

2947 got today. And that person has concerns about themselves, and I can't say that person's name. But

2948 I will swear anywhere what I was told.

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2949 **CHRIS KAEMPFER**

2950 No, actually, Councilwoman, I've practiced in front of you for a lot of years. So when you tell me
2951 something, I believe it to be true. So I believe that somebody told that to you. Whether or not it's
2952 true, I can't say. But I can say I believe that you were told that. So anyway.

2953

2954 **COUNCILWOMAN TARKANIAN**

2955 And all I said then was it made me remember what I had been in before and the result of what I
2956 had been in.

2957

2958 **MAYOR GOODMAN**

2959 Well, in listening to everybody now and getting this information, at least there's an appetite for a
2960 general development plan. I don't know how long that takes. I am very appreciative of the
2961 movement on those 17 acres. But hearing the appetite, which I have said from the very beginning
2962 that we want a general development plan, and listening and as I said just moments ago, it maybe
2963 was a half hour ago at this time, but that really I listen and many times don't agree with anybody
2964 sitting up here, but I'm listening very carefully to this.

2965 I really do believe the development on Queensridge can be a good thing, can be worked out, can
2966 be a very positive, and respecting everything that I have known Yohan Lowie to develop to be a
2967 very positive. He has a vision. He's an artist. He delivers his, without question, top of the line
2968 everything that he does.

2969 The fact that there is an appetite, and I said it from the onset, to go ahead with the general
2970 development plan; I'm hearing movement from all these people. I don't know how long it would
2971 take the company to develop the full general development plan, because I want to see the
2972 development go and you have come back and given us, but it sounds like listening to them, that
2973 the motion is going to fail. I don't know from Councilman Barlow on the phone, but listening to
2974 Councilman Anthony and Councilwoman and Councilman down there and not having had a
2975 chance to hear from Mayor Pro Tem or Mr. Beers, Councilman Beers.

2976 The appetite to move it forward and develop something fabulous, where everybody can preserve
2977 the quality of life they have for their residences, where corners can be developed just has been
2978 suggested tonight, which I believe is a good development. I like the density, everything about it,

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2979 that it's condominiums, not apartments, because apartments get a different, less involvement in
2980 the community. I trust what you have said that came from the School District. Believe me, they
2981 tell you what they tell you. Nobody's going to threaten the School District.
2982 And the reality, though, is there's an appetite for this going forward if there's a general
2983 development plan. I don't know how long there is for that to take place.

2984

2985 **CHRIS KAEMPFER**

2986 I appreciate what you're saying. Here's my point. No matter what development plan comes up,
2987 that corner is going to be developed as part of this plan.

2988

2989 **MAYOR GOODMAN**

2990 Correct.

2991

2992 **CHRIS KAEMPFER**

2993 This is the lowest possible density that we are going to, as a developer, going to be able to agree
2994 with that on that corner. It's not going lower than the Towers.

2995

2996 **MAYOR GOODMAN**

2997 No. I mean, I agree with that piece, but I have no appetite for the 61 up in the northwest corner
2998 until we have a general development plan.

2999 So that is, that is, that is to come back, and at the future time, once there is that development
3000 plan, that 61-acre might just be getting everything. I want to see this go forward. I've wanted it to
3001 go forward. I know the quality of what he does. I personally, but I don't think it's going to make
3002 it, would go ahead and vote for that northeast corner development. I know it's going to go
3003 forward as it is.

3004 But I do believe this is reasonable and to go ahead and come back to us. I would just do this, to
3005 come back on different pieces because it can't work that way. So I'm just really, I don't know.

3006 What is the timeline for a developer on a piece of property this enormous?

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3007 **CHRIS KAEMPFER**

3008 Then, then Your Honor, if I might. If the 61 homes on the 35 acres is where the heartbreak is and
3009 the heartache is, then that's the one that should be delayed and not go forward as opposed.

3010 All right. All right. Here is my problem. Here's my problem. People can, you want the absolute
3011 truth. People can stand up here and say we think there is going to be development. We know
3012 there's going to be development. We know they can develop the property. All right? That's not
3013 what they're told. That's not, in my opinion, what they believe. And when they say there's
3014 development, what your City Attorney has said from day one, which is not what I wanted, your
3015 City Attorney has -

3016

3017 **MAYOR GOODMAN**

3018 Please, wait, wait. Please, everybody. Please be respectful here.

3019

3020 **CHRIS KAEMPFER**

3021 - your City Attorney has told me and anybody who would listen from day one that comparable
3022 and compatible zoning is what he is entitled to. I didn't propose and don't think that's the best
3023 zoning for our community.

3024 You want my opinion? The best zoning for our community was the 75 homes on the 183 acres.
3025 That is what I think is good planning, and then what you do is you sit down and you talk about
3026 what kind of density is allowed on that 70, what kind of protections we can give to Ravel Court,
3027 what kind of protections you can give to Fairway, what kind of protections you can give to
3028 Tudor.

3029

3030 **MAYOR GOODMAN**

3031 You're talking about a general plan, master plan.

3032

3033 **CHRIS KAEMPFER**

3034 Right. But this part, this part tonight is part of it. Why are we telling them that it can't even move
3035 forward with something that everybody acknowledges is part of it?

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3036 **MAYOR GOODMAN**

3037 You're preaching to the choir to me. I believe that corner, but I know it's not going to work. And I
3038 see Mr. Lowie right here, and I know while you look very wonderfully, professionally dressed
3039 and everything, you're not standing there to just support these two. Please.

3040

3041 **YOHAN LOWIE**

3042 Good evening, Mayor, Council. We have all spent a lot of time on this project, and we all have
3043 worked very hard. And you can see how many people here are suffering over their uncertainty
3044 for the last 18 months on this golf course.

3045 I've been, for the last 18 months, I've been demonized, villainized, and vilified by some
3046 homeowners that cause all this still here with people over our intentions of what we want to do
3047 with the golf course. Yet, we came out, right out of the box with one project, a holistic project for
3048 the entire property, for all 250 acres, four different parcels of land that were owned by, that
3049 would encompass this 250-acre golf course.

3050 And I came up and I proposed what I want to do for Queensridge first before what I'm going to
3051 do for ourselves. It included between \$15 million and \$20 million worth of improvements to
3052 Queensridge, including giving 5 acres on Queensridge South and about 4.5 acres on Queensridge
3053 North, building another clubhouse on Queensridge North, building a bridge between the two
3054 neighborhoods, renovating the clubhouse on Queensridge South, putting new gates on the
3055 property, turning Queensridge into what it needs to be, giving life to the neighborhood and
3056 developing the greatest project ever built in Nevada on 180 acres, 60 lots at 3.3 acres on average
3057 lots, which most lots were between 5 and 15 acres, because we had along the streets 1 and 1.5-
3058 acre lots.

3059 And then I want to put 3,000 units down on the bottom, on a low-rise type of a product in order
3060 to, in order to move the density and allow the financial ability to develop the 180 acres.

3061 We've been faced with an organizer position that was built over the time, over the years. You
3062 know what happened, because we came and told you what happened, what are the demands that
3063 were put on us. We have to give land and water rights. We refused to do that, and here we are
3064 today.

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3065 Please do not prove us, that no matter what we do, you're not going to allow entitlements on this
3066 piece of property and let us move forward. We worked very hard for a long time trying to
3067 convince the neighbors, whoever wants to meet with us, and yourselves, this Council and
3068 Planning and City Attorney about our intentions.

3069 We were willing to put restriction on ourselves. We came up just three months ago with a holistic
3070 project on the entire 250 acres, and you heard people screaming and yelling here, not one unit
3071 can be built.

3072 So all this opposition today here only wants to do one thing, to delay this project indefinitely. See
3073 what happened during the election. See what happened in court. And that's what it is.

3074 If you don't vote today, if you don't vote today, the golf course is encompassing today again four
3075 different parcels of property. The next time you're going to see me, I may not be in control in all
3076 of them. So you're never going to see a holistic project on 250 acres. That's what's in front of you
3077 today.

3078

3079 **MAYOR GOODMAN**

3080 Mr. Lowie, can you answer the question how long would it take for you to pencil out a general
3081 development agreement -

3082

3083 **YOHAN LOWIE**

3084 There was a -

3085

3086 **MAYOR GOODMAN**

3087 - to the point of some surety that homeowners can rest assured where they live that, wow, I mean
3088 I know what you develop. I know what you build. You have talked to this before, and I know you
3089 would deliver it, but they need to see where and what is going to be.

3090

3091 **YOHAN LOWIE**

3092 - Your Honor, there is a development agreement, a complete development agreement, far-
3093 reaching development agreement. Most of these people who make all the comments right now

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3094 never read this development agreement. I met yesterday with a gentleman that bitterly opposed
3095 and objected that this development agreement does not protect him.
3096 So I asked him a question, did you ever read this development agreement? And he answered me,
3097 no, I did not, but I relied on Mr. Schreck. And Mr. Schreck told him the development agreement
3098 does not protect him. And most of these people here believe the same exact thing. They never
3099 read the development agreement. They do not understand what it says and how much protection
3100 they have in there.

3101

3102 **MAYOR GOODMAN**

3103 Where is the development agreement?

3104

3105 **YOHAN LOWIE**

3106 The development agreement?

3107

3108 **CHRIS KAEMPFER**

3109 We submitted it.

3110

3111 **TOM PERRIGO**

3112 Your Honor, it's in the backup for our November meeting.

3113

3114 **MAYOR GOODMAN**

3115 No, no, no. What?

3116

3117 **TOM PERRIGO**

3118 Your Honor, it's in the backup for our November meeting agenda.

3119

3120 **MAYOR GOODMAN**

3121 It was in the backup? Okay.

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3122 **COUNCILWOMAN TARKANIAN**

3123 Yes. It was discussed, I think, at that meeting.

3124

3125 **MAYOR GOODMAN**

3126 Okay.

3127

3128 **YOHAN LOWIE**

3129 Your Honor, the development agreement is completed. It's something that we will not accept
3130 today, a portion of the development agreement, because we will have to see these people every
3131 single time we come with any other segment of the project under an SDR. The development
3132 agreement should not include the SDR. It should be by committee.

3133 The way that Councilman Beers beat us to lower the density and then in the development
3134 agreement force us into it or we're going to have to bring SDRs again and again and again, it
3135 means that we will have to be here in front of you for the next whatever long time it's going to
3136 take to develop the property. The 30 years of people complaining here is going to take to
3137 develop, it's the 30 years you imposed. We don't want to develop property for 30 years. We want
3138 to develop in 10 years if we can.

3139

3140 **MAYOR GOODMAN**

3141 Thank God, I'll be dead.

3142

3143 **YOHAN LOWIE**

3144 We want to develop in five years if we can.

3145

3146 **MAYOR GOODMAN**

3147 I'll be dead in 30 years. So that's good.

3148

3149 **YOHAN LOWIE**

3150 I beg your pardon?

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3151 **MAYOR GOODMAN**

3152 I said I'll be dead in 30 years.

3153

3154 **YOHAN LOWIE**

3155 So am I. And for that I'm saying -

3156

3157 **MAYOR GOODMAN**

3158 Okay. So you've answered my question. So let me give this to Councilman Beers.

3159

3160 **YOHAN LOWIE**

3161 - all I'm asking you, you have a choice now to allow for a great development to go forward.

3162 Something great, that at the end of the day you already know and you just acknowledged what's

3163 going to be built there on this 435 units.

3164

3165 **MAYOR GOODMAN**

3166 I know you're a fabulous builder.

3167

3168 **YOHAN LOWIE**

3169 Or you can deny this and all it's going to be, different property owners submitting different

3170 application every time they want to develop the property for the zoning.

3171 The homeowners really do not understand the consequences of their opposition. And that they're

3172 spending right now the money that was going to be put into Queensridge by us spending money

3173 on litigation and spending money on caring the property that we are not developing.

3174

3175 **MAYOR GOODMAN**

3176 Okay.

3177

3178 **YOHAN LOWIE**

3179 So I'm asking for a vote.

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3180 **MAYOR GOODMAN**

3181 Okay. Thank you.

3182

3183 **YOHAN LOWIE**

3184 Whatever it's going to be, please vote on this for this 435 units and allow us to move forward

3185 with some form of development so we can sit down and negotiate. You've known for me 20

3186 years. I negotiate everything. I negotiated Tivoli.

3187

3188 **MAYOR GOODMAN**

3189 Yes, you do.

3190

3191 **YOHAN LOWIE**

3192 I negotiate the Towers. With this opposition, the Towers would have never have been built. Tivoli

3193 would never had been built.

3194

3195 **MAYOR GOODMAN**

3196 Okay. Let me see if we can get, Councilman Barlow has not voiced his opinion. Or is he flying? I

3197 want to turn this over to Councilman Coffin, because as I said. Is he there? Hello, Councilman

3198 Barlow?

3199

3200 **COUNCILMAN BARLOW**

3201 Yes, ma'am, I'm still on.

3202

3203 **MAYOR GOODMAN**

3204 All right. Say something.

3205

3206 **COUNCILMAN BARLOW**

3207 I'm here.

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3208 **MAYOR GOODMAN**

3209 No, more than, I'm here. How are you feeling with this, because I'm going to turn this over to
3210 Councilman Beers to move this forward on a vote? And I know you heard Mr. Lowie just
3211 respond. Okay.

3212

3213 **COUNCILMAN BARLOW**

3214 Okay. You can go ahead and turn that over to the Councilman Beers.

3215

3216 **MAYOR GOODMAN**

3217 Okay. [Inaudible] I already did. Public hearing is closed.

3218

3219 **COUNCILMAN BEERS**

3220 Thanks, Your Honor. You know, somebody asked, I think Councilwoman Tarkanian asked, what's
3221 the big hurry, and the answer is there hasn't been. Even before Clyde Turner brought up elephants
3222 in the room, I had actually looked up earlier this afternoon the gestation period for an African
3223 bush elephant. It's a little bit longer than we've been at this, but not much. It's 22 months, and I
3224 think we've been at this for 18.

3225

3226 **MAYOR GOODMAN**

3227 Can you speak closer to your microphone because you're sort of dying out there.

3228

3229 **COUNCILMAN BEERS**

3230 Yes, ma'am. At the November meeting, we got some kind of surprise testimony from the former
3231 school trustee for this area concerned about the impact on schools. So I did some research.
3232 Another correspondent this afternoon said how can we take the developer's word for the school
3233 impact, and of course the answer is, as it has been for many of the points made during public
3234 comment today, is it's not true. It's just not true.

3235

3236 **COUNCILWOMAN TARKANIAN**

3237 What's not true? I can't hear you.

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3238 **COUNCILMAN BEERS**

3239 One of the correspondents said that we're taking the developer's word for the school impact. No,
3240 we're not. In fact, we asked the School District, and by law we're required to and by law they're
3241 required to respond and they did. If the 3,000 units were built out, as was originally applied for,
3242 it would be about 500 kids, K through 12 is what they said.

3243 And then in the wake of the meeting that we had in November, I asked to sit down with some of
3244 the planning people over at the School District. They were kind enough to spend some time with
3245 me. I asked them a couple questions. The first was, how many kids from Queensridge go to
3246 Bonner?

3247 That's where they're zoned to go. It's kind of weird that they're zoned to go there, because there's
3248 actually a closer elementary school that was part of the Peccole Ranch Master Plan, that was
3249 converted to a magnet school last year due to falling enrollment. That's about a half-mile from
3250 the center of the Queensridge half section. The school they're going to is about a mile from the
3251 center of the half section.

3252 But the answer came back about one-third of the number of children that our formula predicts
3253 would be attending elementary school from the Queensridge footprint actually do. This is
3254 because two-thirds of the kids don't go to public school. They're either home schooled or they're
3255 going to private schools, apparently in Queensridge as it is envisioned today.

3256 So I want to assure folks that we did due a fair amount of due diligence on the impact of schools
3257 and that it appears to the School District, anyway, it appears this can be accommodated.

3258

3259 **COUNCILWOMAN TARKANIAN**

3260 Excuse me, could I just ask, did they tell you what is the recommended enrollment for
3261 elementary, high school, and junior high programs?

3262

3263 **COUNCILMAN BEERS**

3264 Yeah, Bonner is over recommended enrollment, and the school across the street is under -

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3265 **COUNCILWOMAN TARKANIAN**

3266 Excuse me, Mr. Beers, I'm talking about the recommended enrollment nationally, because we
3267 have a much higher enrollment in Las Vegas in our schools than there is throughout the nation,
3268 and I just wondered -

3269

3270 **COUNCILMAN BEERS**

3271 - right.

3272

3273 **COUNCILWOMAN TARKANIAN**

3274 - for what educational people recommend.

3275

3276 **COUNCILMAN BEERS**

3277 Because CCSD deals with large tracts of land and large populations of people, it has a formula
3278 based on the number of multi-family and single-family homes. That formula applied to the
3279 current footprint of Queensridge, which does not include any of the units that Mr. Lowie and his
3280 group were proposing, is producing one-third, the actual number of students is one-third the
3281 formula at Bonner. So we are mindful, I think, of that.

3282 I would like to ask, as we talk about the medium density versus high density, if Staff could tell
3283 us, I guess, adjacent to the parcel that we're talking about tonight is Rampart on one side and the
3284 Tower on the other; what is the general plan designation for the Tower?

3285

3286 **TOM PERRIGO**

3287 The general plan designation for the Tower is Tours Commercial.

3288

3289 **COUNCILMAN BEERS**

3290 What does that mean? Well, let me start over. Is that a designation currently in use, or is that an
3291 old designation that is no longer currently in use?

3292

3293 **TOM PERRIGO**

3294 That is a designation from the 1992 General Plan that is no longer in use.

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3295 **COUNCILMAN BEERS**

3296 And I think the previous Planning Director undertook an exercise to convert obsolete general
3297 plan categories to current general plan categories.

3298

3299 **TOM PERRIGO**

3300 That is correct.

3301

3302 **COUNCILMAN BEERS**

3303 When was that?

3304

3305 **TOM PERRIGO**

3306 I'm not exactly sure of the date that Council took action, but subsequent to that, there was an
3307 action by Mr. Fagg, in 2008, directing the Senior Tech Systems Analyst to convert all TC
3308 designations to an appropriate designation that existed in the Master Plan.

3309

3310 **COUNCILMAN BEERS**

3311 What did he recommend for this?

3312

3313 **TOM PERRIGO**

3314 For this site, he directed it be changed from Tours Commercial to H (High Density) for the
3315 Queensridge Towers.

3316

3317 **COUNCILMAN BEERS**

3318 Okay. So the land adjacent now is being proposed at M is significantly below its adjacent
3319 equivalent.

3320

3321 **TOM PERRIGO**

3322 Yes, that's correct.

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3323 **COUNCILMAN BEERS**

3324 Okay. It's been proposed that this affects other golf course communities and it doesn't. There's a
3325 couple reasons why it doesn't. First of all, they're all different. For example, in this one, everyone
3326 has initialed a disclosure that the golf course can go away. Compare that to The Lakes, the lake, I
3327 guess, is R-PD something, but it's owned by the Association. Compare that to Canyon Gate, it's
3328 R-PD something, but it's owned by the Association.

3329 We can't compare it to Silverstone Ranch. There, the HOA had a contractual right, a CC&R right
3330 to approve, with 75% vote of the residents, any change of use, and it's celebrating its first
3331 anniversary with a chain link fence around it. We sent out the Health District in the summer to
3332 remediate the mosquito larvae because they turned the water off.

3333 So they're all different, and they're all, I guess, capable of having different outcomes. It just
3334 depends on who signed what disclosures and what founding documents say. It's certainly an
3335 overgeneralization to blanket state that the situation here is the situation of all golf courses in the
3336 City.

3337 You know, I think it's been made clear that all of us have been, up here, interested in a global
3338 plan from the outset. It's a risky business for a city to insist that a global plan be developed. We
3339 could make that insistence tonight, because this request exceeds the existing entitlement.

3340 It sounds like I'm the only guy who actually watched the Planning Commission hearing last
3341 night, and I appreciate getting it over again today, but last night's application, which is 61 a little
3342 smaller than half-acre lots wasn't a request for a zoning change. There was no zoning change
3343 needed.

3344 And that's the dilemma this Council is going to face, because if you believe that there is an
3345 existing entitlement, which is what the City Attorney's Office says and the Planning Department
3346 says, that's why Planning has given its approval to the application before us tonight, if you
3347 believe there's an existing entitlement, it is probably quarter and a half-acre lots all up and down
3348 the golf course.

3349 And if we don't provide the developer any flexibility, we can't stop them from developing that.
3350 When we get to the 61 acres before us, someone's going to say, so, Brad, can we say no to this?
3351 And he's going to say oh, certainly you can, but now you're denying the developer an existing

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3352 land right granted by a City Council decades ago. Even though it was decades ago, in order for
3353 us to take the existing land development right, we have to pay for it, and it's a big check, folks.
3354 So the big choice is whether the City is going to allow this developer creativity to change around
3355 the densities on the 250 acres in order to turn 180 acres into the most exclusive enclave this side
3356 of the 215, or if it's going to be quarter and a half-acre lots.
3357 So I think that the alternative is what's going to retain the most value for the most homeowners,
3358 that's going to retain the most view premium. Right now we're at pretty much the bottom,
3359 because of all the uncertainty, except for the certainty that the golf course is closed and the land
3360 is entitled to be built out in quarter and a half-acre lots.
3361 The problem with the global plan, in my opinion, having been far too close to this than any of the
3362 other 6 of you for 18 months, is that the homeowner contingent has not been negotiating in good
3363 faith.

3364

3365 **YOHAN LOWIE**

3366 That's exactly right.

3367

3368 **COUNCILMAN BEERS**

3369 They've been fueled by a false legal assumption that no development can take place; a false legal
3370 assumption that the HOA's CC&Rs give it some authority over the land; a false assumption that
3371 NRS 278A provides a hammer. And so certain that no development could take place, why go to a
3372 negotiation in good faith?

3373 The Eighth District has now opined that the legal theories they've been fueled by are without
3374 legal merit. There is another case still pending that would result, if it went one way, with two
3375 Eighth District Court judges saying there's no legal merit, or in the alternative one saying there is
3376 and one saying there isn't.

3377 So I'm hopeful and it appears from the half-empty box of signs that was in the back that more
3378 and more homeowners are realizing the theory that there is no development rights here and
3379 therefore we don't need to talk is false. And I think more and more of them are.

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3380 Now, we can't stop piecemeal development. I think Brad will tell you that. We can ask for a
3381 wholesome, all 250 acres plan. In fact, one was developed. I sat down with one of the loudest
3382 voices over lunch 10 days ago and said, so what do you want?
3383 He says, well, I want a development agreement; I want it to have the developer contributing to
3384 infrastructure, if necessary; I want it to have development standards; I want it to have; and lo and
3385 behold, everything you wanted was in the development agreement that was on the table two
3386 months ago. Everything that he wanted was in the development agreement.
3387 So it's frustrating. Tonight we can stop this. This is a request in excess of existing entitlement,
3388 and we can say no safely. But if we do, we're pretty much forcing the developer into the existing
3389 entitlement.
3390 Should we take this up on March 1st? No. Councilman Barlow ought to be, I know, Councilman
3391 Barlow ought to be.
3392
3393 **MAYOR GOODMAN**
3394 We'll try to get him back right now.
3395
3396 **COUNCILMAN BEERS**
3397 Okay.
3398
3399 **MAYOR GOODMAN**
3400 Because he has sat through it all, heard it all. [Inaudible]
3401 It was what? [Inaudible]
3402 So, if in fact, if in fact this is, the vote is on the first, can it just be simply the vote brought back?
3403
3404 **BRAD JERBIC**
3405 I certainly believe that if you want to, this is at the Chair's discretion, if you bring it back on the
3406 1st, you have had a public hearing, there's not a legal requirement to have more public hearing.
3407 That would be at your discretion. As far as deliberation is concerned, it's always beneficial for
3408 every member of the Council to hear the thoughts of other members before casting their vote.

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3409 So I would recommend that if you do bring it back, that you continue your deliberation. In fact,
3410 you haven't even heard from at least one Council member and another Council member hasn't
3411 finished, and a third one is beeping. So I think that if it does come back, you need to pick up
3412 where you left off here. And this also gives Councilman Barlow a chance to read any transcript
3413 of anything he might have missed in the interim. We can certainly continue to try. But that's what
3414 I recommend.

3415

3416 **MAYOR GOODMAN**

3417 So, without your legalese that you've just given me, can we start at the point that we've left off
3418 and just have the vote?

3419

3420 **BRAD JERBIC**

3421 Yes, if any Council member who hasn't spoken wishes to still speak, you should probably allow
3422 that, but having said that, you're the Chair.

3423

3424 **MAYOR GOODMAN**

3425 Oh, here he is.

3426

3427 **MAYOR PRO TEM ROSS**

3428 He's calling the Mayor.

3429

3430 **MAYOR GOODMAN**

3431 Hold on. Hello? Call him back. Phone dropped. Okay.

3432 So the answer is yes to what I just asked you?

3433 Are you there Councilman Barlow?

3434 What I've been advised is you can call for the vote.

3435

3436 **LUANN D. HOLMES**

3437 Councilman Barlow, can you hear us?

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3438 **COUNCILMAN BARLOW**

3439 Yes.

3440

3441 **MAYOR GOODMAN**

3442 Okay. I've asked counsel if in fact Councilman Beers, he can call for the vote, or we can
3443 postpone that vote to March 1st, and that will be starting at this point with a call for the vote,
3444 unless you have something more you want to add, Councilman Barlow.

3445

3446 **COUNCILMAN BARLOW**

3447 Okay. I just want to make sure I'm hearing you correctly. I heard [inaudible] all of what
3448 Councilman Beers stated [inaudible] to maybe the 30 seconds. So what are the two options?

3449

3450 **COUNCILMAN BEERS**

3451 Well, to summarize the last 30 seconds that you missed, Councilman, we can't stop piecemeal
3452 development if it's within the existing zoning. That's what was approved at the Planning
3453 Commission last night, what we'll be seeing in about a month. I wish we could, but we cannot
3454 stop EHB from selling their 250 acres in 5 parcels of 50 acres each, for example. Those are
3455 things we can't stop.

3456 One of those parcels gets sold off, and we no longer have the ability to have an integrated 250-
3457 acre master plan community. But even if we did, basically a keystone of that plan is a project that
3458 is twice as intense as what the developer has agreed to back down to, and that would be probably
3459 increased if a plan is developed. It sounds like there's a maximum number of units that can be
3460 developed on the 250 acres. And so they're consuming some of them with this project, if in fact
3461 we move forward under the existing entitlement over the next couple of years.

3462

3463 **MAYOR GOODMAN**

3464 And Mr. Jerbic is saying you may call for the vote item by item right now, because Councilman
3465 Barlow -

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3466 **COUNCILMAN BEERS**

3467 Okay. So, with that, I'm going to move for on Item 100, the General Plan Amendment approval,
3468 with the amendment that we would instead of changing it from, to high density, we'd change it to
3469 medium, M, density.

3470

3471 **MAYOR GOODMAN**

3472 - Councilman Barlow, did you hear that?

3473

3474 **COUNCILMAN BARLOW**

3475 I did.

3476

3477 **COUNCILMAN BEERS**

3478 Any other Staff conditions? Any other Staff Conditions that would go on that?

3479

3480 **MAYOR GOODMAN**

3481 Okay.

3482

3483 **TOM PERRIGO**

3484 No.

3485

3486 **MAYOR GOODMAN**

3487 Okay. So you are? Would you repeat your motion?

3488

3489 **COUNCILMAN BEERS**

3490 **Approval of Agenda Item 100, with a change from the requested high density residential**
3491 **designation to a medium density residential designation, actually just a medium density**
3492 **designation.**

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3493 **MAYOR GOODMAN**

3494 Okay. There is a motion to approve with the amendment mentioned by Councilman Beers. How
3495 say you, Councilman Barlow?

3496

3497 **COUNCILMAN BARLOW**

3498 Yes.

3499

3500 **MAYOR GOODMAN**

3501 Yes. Okay. Will you please post? And we have Councilman Coffin and Councilwoman to still
3502 vote, please.

3503 And the motion carries. **(The motion carried with Coffin, Tarkanian and Anthony voting**
3504 **No.)** And on Agenda Item 101?

3505

3506 **COUNCILMAN BEERS**

3507 **I would move approval of 101, with the change that instead of the requested R-4, it be**
3508 **dropped down to R-3.**

3509

3510 **MAYOR GOODMAN**

3511 And that is your motion?

3512

3513 **COUNCILMAN BEERS**

3514 Are there any other conditions on 101, Staff?

3515

3516 **TOM PERRIGO**

3517 No.

3518

3519 **MAYOR GOODMAN**

3520 Okay.

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3521 **COUNCILMAN BEERS**

3522 That would be where we would, would that not be also? Okay. Yes, ma'am.

3523

3524 **MAYOR GOODMAN**

3525 Okay. That is your motion. Please vote. And Councilman Barlow, how say you?

3526

3527 **COUNCILMAN BARLOW**

3528 Yes.

3529

3530 **MAYOR GOODMAN**

3531 And please post. And that motion carries. **(The motion carried with Coffin, Tarkanian and**

3532 **Anthony voting No.)** And Agenda Item 102?

3533

3534 **COUNCILMAN BEERS**

3535 And I guess I would add to the chorus, it's now six of us have made this comment, but I believe

3536 that Councilman Ross shares it. We would like all parties involved here to go back to the

3537 development agreement that was posted with the November agenda and mark it up, print it out,

3538 go home, mark it up.

3539 If you don't like something, put a red circle around it. If you want to change numbers, change

3540 numbers, but we need to have meetings where those marked-up development agreements are

3541 brought back so that we have concrete starting points for our discussions and hopefully get to the

3542 end of this process.

3543 So with that, **Your Honor, on Item 102, I would move for approval, but we do have a couple**

3544 **of additional -**

3545

3546 **MAYOR PRO TEM ROSS**

3547 Councilman, just for the record, I affirm what you just said about that.

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3548 **COUNCILMAN BEERS**

3549 - thank you.

3550

3551 **MAYOR GOODMAN**

3552 Thank you.

3553

3554 **COUNCILMAN BEERS**

3555 The additional conditions on Number 102 would be the reduction to the number of units at 435,
3556 that the developer has agreed to, changes in floor plan are subject only to administrative review
3557 and will not come back here.

3558

3559 **TOM PERRIGO**

3560 Through you, Mayor, Councilman, we'd like to take a stab at those two conditions, then, if you
3561 please.

3562

3563 **COUNCILMAN BEERS**

3564 I've got one more.

3565

3566 **TOM PERRIGO**

3567 Oh, sorry.

3568

3569 **COUNCILMAN BEERS**

3570 Which is the Suncoast language that I think was submitted to you. I don't have the exact
3571 language, but in concept, if the traffic flow in or out of what we're doing here tonight accesses
3572 Alta, then a new traffic study needs to be conducted and it needs to be approved by the Council.

3573

3574 **MAYOR GOODMAN**

3575 Okay. That's your motion? Anything more there?

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3576 **COUNCILMAN BEERS**

3577 Well, let's get Planning to correct my verbiage.

3578

3579 **PETER LOWENSTEIN**

3580 Madame Mayor, **the first one would be the maximum number of 435 units shall be allowed.**

3581 **The second one would be revised floor plans depicting a maximum of 435 units shall be**

3582 **submitted to the Department of Planning prior to or at the same time as application is**

3583 **made for building permits.**

3584

3585 **MAYOR GOODMAN**

3586 And the condition about this traffic study?

3587

3588 **PETER LOWENSTEIN**

3589 **I'll leave that one as it stands.**

3590

3591 **MAYOR GOODMAN**

3592 Okay.

3593

3594 **STEPHANIE ALLEN**

3595 Your Honor, just briefly a clarification. Did we want to limit it to for sale product as opposed to

3596 for rent?

3597

3598 **MAYOR GOODMAN**

3599 Oh, right. Yes.

3600

3601 **COUNCILMAN BEERS**

3602 Yes. There's another condition.

3603

3604 **MAYOR GOODMAN**

3605 **No rental. For sale project.**

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3606 **COUNCILMAN BEERS**

3607 The product will be for sale.

3608

3609 **MAYOR GOODMAN**

3610 Okay. You heard that, Councilman Barlow? That, that was the other piece, that they are not rental

3611 apartment units; they are condos, sale, sale.

3612

3613 **COUNCILMAN BARLOW**

3614 Yes, ma'am.

3615

3616 **MAYOR GOODMAN**

3617 Okay. Is that your motion?

3618

3619 **CHRIS KAEMPFER**

3620 Your Honor?

3621

3622 **COUNCILMAN BEERS**

3623 That's my motion, Your Honor.

3624

3625 **CHRIS KAEMPFER**

3626 **Your Honor, just to be clear for the Suncoast, they wanted to make sure that that traffic**

3627 **study would be part of any kind of public hearing so they would have input. I just wanted**

3628 **to make sure that was the case.**

3629

3630 **MAYOR GOODMAN**

3631 Okay. So there's a motion on Agenda Item 102, subject to the conditions that were put on. And

3632 how say you, Councilman Barlow?

3633

3634 **COUNCILMAN BARLOW**

3635 Yes.

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3636 **MAYOR GOODMAN**

3637 Thank you. And will you please post? (**Motion carried with Coffin, Tarkanian and Anthony**
3638 **voting No.**) And the motion carries. So there's a lot ahead. And thank you. Thank you all for
3639 coming. We feel, as you've said -

3640

3641 **COUNCILWOMAN TARKANIAN**

3642 Oh, wait, Madame Mayor?

3643

3644 **MAYOR GOODMAN**

3645 - Yes?

3646

3647 **COUNCILWOMAN TARKANIAN**

3648 Before we finish -

3649

3650 **MAYOR GOODMAN**

3651 We're not through. We have to stay.

3652

3653 **COUNCILWOMAN TARKANIAN**

3654 - no, no, I mean, on this, what we're voting on. We had a lot of good material that came from
3655 Attorney Jimmerson, and we're going to get a copy of that. Could we have the materials that
3656 were referred to by the opposition? Could we each have a copy of that too, you brave people?

3657

3658 **MAYOR GOODMAN**

3659 We can get it from our City Clerk's Office.

3660

3661 **COUNCILWOMAN TARKANIAN**

3662 City Clerk has it. So would you give one to each of us please, of what was given to you by the
3663 other? Thank you.

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3664 **MAYOR GOODMAN**

3665 Thank you.

3666

3667 **CHRIS KAEMPFER**

3668 Thank you all very much.

3669

3670 **MAYOR GOODMAN**

3671 Thank you.

3672

3673 **YOHAN LOWIE**

3674 Thank you very much.

3675

3676 **CHRIS KAEMPFER**

3677 Our work is not done, Mayor.

3678

3679 **MAYOR GOODMAN**

3680 We know we'll see you again.

3681

3682 **YOHAN LOWIE**

3683 Your Honor, I just want to comment on record here that I will negotiate the development

3684 agreement to the benefit of the homeowners and us, the development team, to the best of my

3685 ability and to get a solution for all the concerns of everybody here in this room. Thank you.

3686

3687 **MAYOR GOODMAN**

3688 Thank you. I know that. I believe that. And thank you, Mrs. Hughes, Mr. Pankratz for getting us

3689 to this point. I know you will do that. I believe that you will do that.

3690 Thank you so much. Thank you, everyone.

3691

3692 **(END OF DISCUSSION)**

3693 /ph;af

Exhibit 132

Opening Statement:

This needs to be said. This bill is for one development and one development only. This bill is only about Badlands Golf Course. For the past two years the Las Vegas City Council has been broiled in controversy over Badlands and this is the latest shot in a salvo against one developer. Badlands and Queens Ridge was a development that was poorly conceived and executed. The original developer did absolutely nothing to stop development of the golf course and, in fact, allowed for that development. Every person who bought in that development knew the golf course could be developed. The Las Vegas City Council is now supposed to somehow fix the incompetence of a developer that made millions with a flawed development. That is not our job.

There are currently three developments that are threatened by conversion of open spaces or golf courses in the City of Las Vegas. Two of those developments are in Ward 6, my Ward; Silverstone Golf Course and Centennial Village. Silverstone is protected by CC&Rs that require 75% of the homeowners approve any change in the golf course. This is what should have been done at Badlands but the developers either wanted the ability to develop the golf course or weren't smart enough to protect the golf course. In my opinion they left themselves the option to develop the golf course. Centennial Village is closer to what is happening at Badlands but not exactly the same.

The developers at Centennial Village did not record the necessary documents to complete the transfer of Pop Squire's Park and it has been in limbo since. The new owners of Pop Squire's Park are now trying to develop the park. But at Pop Squire's Park our system is working. I am supporting the neighbors of the park and the new owners do not believe they have the support of the City Council to

Submitted At Meeting
Councilwoman Frow
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obtain the variances needed to convert the park to apartments, so they are working with the neighbors and trying to come to solution that will *work* for all the parties concerned.

Adoption of this Ordinance will do nothing for these two problems in my Ward. In fact, it might well hinder any solution we might come up with. Our current system works. I find it unfathomable that we are even considering an Ordinance that will do absolutely nothing but add additional layers of bureaucratic meetings for developers and will not add one iota of help to homeowners.

I have a few additional questions, but my main question is:

Brad Jerbic and Tom Perrigo had innumerable meetings with the developer and with the homeowners impacted by the conversion of the Badlands Golf Course. The developer and the homeowners also had many meetings discussing the proposed development of the golf course. Were those meetings substantially different then what is required in this Ordinance, if so, how? *no answer*

Questions:

1. It has my belief that the development of Badlands will be decided by the Courts. Would this Ordinance have kept us out of the Courts? *no*
2. If this Ordinance fails it will not create any additional litigation. If this Ordinance passes in my opinion it will probably be either included in ongoing litigation or new litigation will ensue. In your opinion will this Ordinance increase or decrease the likelihood that the City will end up in the Courts if similar developments come before the City Council? *no*
3. On the Proposed First Amendment (5-1-18 Update) on page 1; lines 23 and 24, new language was added that included "a

- C-154
- development within an R-PD District." Is Badlands and the surrounding residential areas an R-PD District and was this added to include that specific development? — *no answer* —
4. On the Proposed First Amendment (5-1-18 Update) on page 2, lines 5 through 7, exempts "open space pertaining to a nonresidential development where that open space functions as an area for vehicle parking, landscaping, or any similar incidental use." In addition, Section 8 on Page 6, Lines 1 through 3, repeals anything in the Municipal Code that conflicts with this Ordinance. If a developer decides they do not want required landscaping that is in place will they be able to eliminate that landscaping? If not, why not? — *yes - if not* —
5. The Public Engagement Program specifically allows a developer to hold only one meeting, Page 2, Lines 15 to 19. It does, however, "encourage" additional meetings. If a developer decides to have only one meeting is there anything in the Ordinance requiring him to have more than one meeting? *no*
6. Why did you add the language "As part of and in consideration of development approval, has been formally" on page 5, line 4, added to the Ordinance? — *thank you* —
7. The Council, and the Planning Commission, require neighborhood meetings on a regular basis for controversial zoning matters. Can we not require everything in this Ordinance for controversial matters without this Ordinance? —

Closing Statement:

I stand by my original statement; this Ordinance adds nothing to our existing zoning procedures except a layer of bureaucracy. Everything this Ordinance requires can be required by the Planning Commission or

the City Council. Why do we need another Ordinance to make us do our jobs?

It is unfathomable to me that we are even considering this Ordinance. We have tracts of land in Wards 2 and 6 that can be developed to help with our budget problems. We will be approving a budget later this month that includes a 2% cut in discretionary spending and, if we adopt this Ordinance, we will be requiring extra hours being spent on meaningless meetings. Do we want to do this?

Do we want to send a message to developers that the minute something comes up that is controversial or requires us to make a hard decision we will tie our hands in the future, so we don't have to make those decisions? Making those decisions are what we were elected to do. I, for one, take that responsibility seriously and will be voting Nay on this Ordinance.

1 2. **Exceptions.** This Subsection (G) does not apply to:

2 a. Any project that has been approved as part of the City of Las Vegas Capital Improvement Plan.

3 b. Any project that is governed by a development agreement that has been approved pursuant to LVMC

4 19.16.150.

5 c. The repurposing of any area that has served as open space pertaining to a nonresidential development
6 where that open space functions as an area for vehicle parking, landscaping, or any similar incidental use.

7 d. The reprogramming of open space recreational amenities that simply changes or adds to the
8 programming or activities available at or within that open space.

9 e. Open space entirely controlled by a common interest community, where the governing documents
10 set forth a procedure for repurposing open space and the applicant provides evidence of approval of the common
11 interest community pursuant to relevant Declaration of Covenants, Conditions, and Restrictions shall be deemed
12 compliant with this section.

13 3. **Requirements.** In connection with the scheduling of a pre-application conference pursuant to LVMC
14 19.16.010(B)(5), the applicant for a repurposing project subject to this Subsection (G) must provide to the
15 Department in writing a proposed Public Engagement Program meeting the requirements of Paragraph 4 below.
16 The requirements of this Subsection (G) must be completed before the submission and processing of the land use
17 application(s) to which the pre-application conference applies.

18 4. **Public Engagement Program.** The Public Engagement Program (PEP) shall include, at a minimum, one
19 in-person neighborhood meeting regarding the repurposing proposal and a summary report documenting public
20 engagement activities. The applicant is encouraged, but not required, to conduct additional public engagement
21 activities beyond those required by the preceding sentence. Additional public engagement activities may include,
22 but are not limited to, the following components:

23 a. Applicant's Alternatives Statement. This document is designed to inform the Department and
24 stakeholders about the applicant's options and intentions, including the following statements:

25 I. A statement summarizing the alternatives if the golf course or open space is not repurposed
26 and the current use of the property ceases.

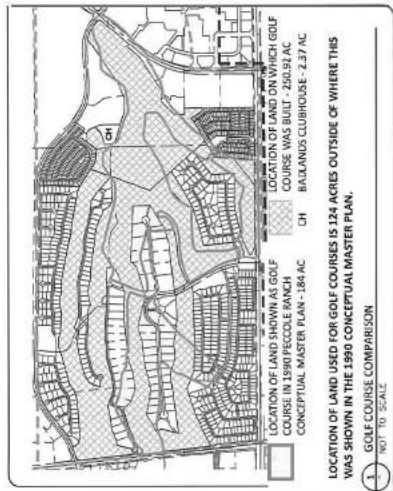
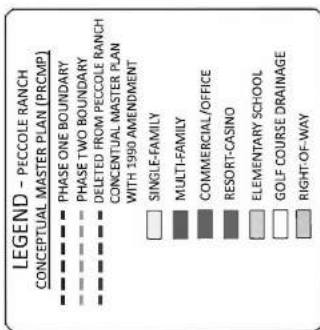
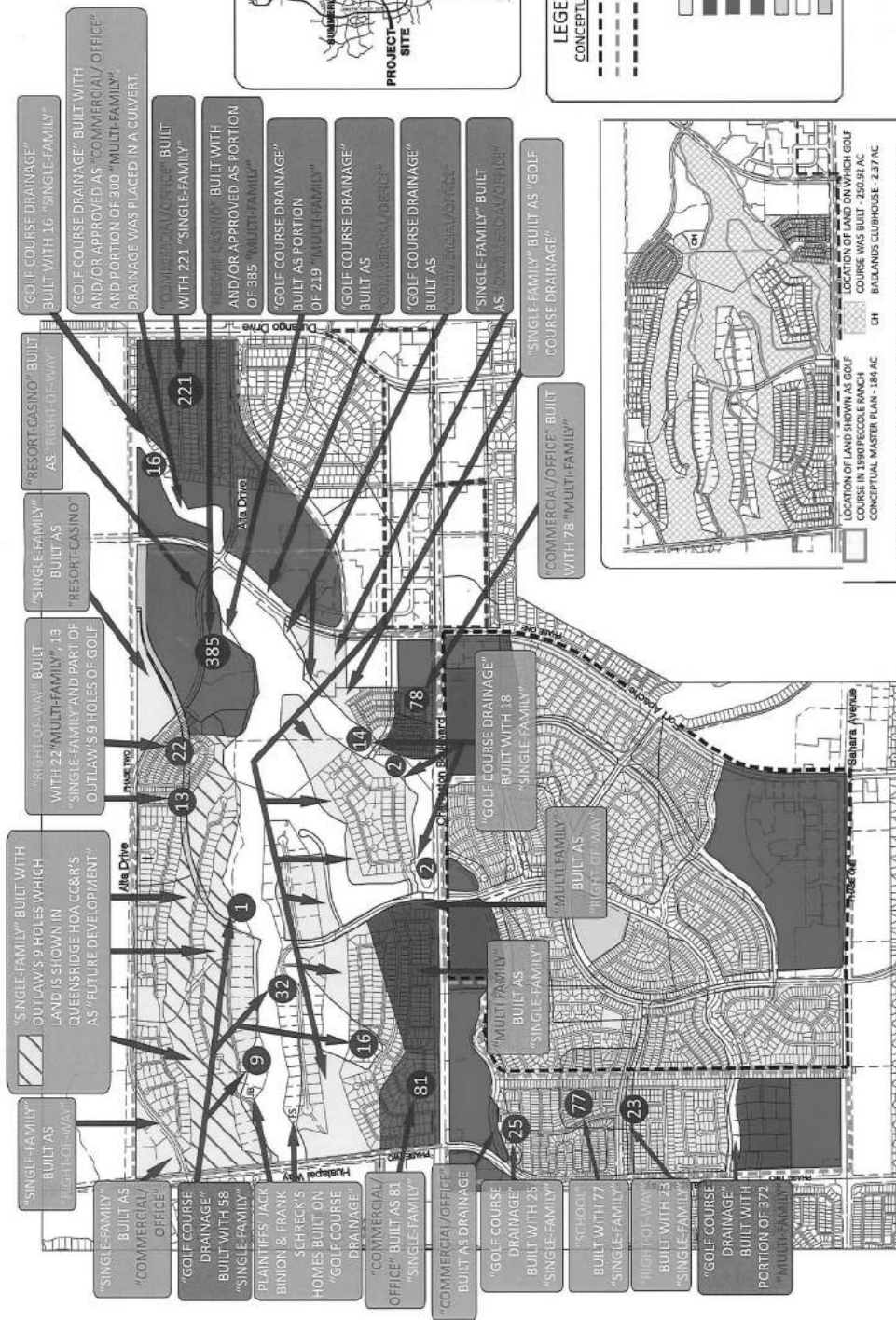
City Assigned Number	PROPERTY	SUBJECT TO PRIVATE DEVELOPMENT?	REASON WHY	TREASURER LAND USE DESIGNATION
1	Canyon Gate Country Club	NO	Restrictive Covenants	Golf Course. Private
2	Former Badlands Golf Club	YES	Privately owned with residential zoning and no restrictive covenants	Vacant. Single Family.
3	Angel Park Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
4	TPC at The Canyons	NO	Restrictive covenants	Golf Course. Private.
5	TPC at Summerlin	NO	Restrictive covenants	Golf Course. Private.
6	Eagle Crest Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
7	Highland Falls Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
8	Palm Valley Golf Club	NO	Owned by HOA	Golf Course. Semi-Private.
9	Painted Desert Golf Club	NO	Restrictive covenants	Golf Course. Public.
10	Los Prados Golf Course	NO	Owned by HOA	Golf Course. Semi-Private.
11	Las Vegas Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
12	Desert Pines Golf Club	NO	Owned by City of Las Vegas	Golf Course. Public.
13	Durango Hills Golf Course	NO	Owned by City of Las Vegas	Golf Course. Public.
14	Silverstone Golf Course	NO	Restrictive covenants	Golf Course. Semi-Private.
The Lakes		NO	Owned by HOA	Improved Common Area
Desert Shores		NO	Owned by HOA	Improved Common Area

Submitted At Meeting
Stephanie Allen
Date 5/14/18 Item 3



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Exhibit 133



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Exhibit 134



LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

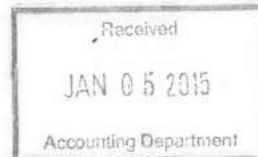
ELIZABETH N. FRETWELL
CITY MANAGER

December 30, 2014

EXHIBIT H

Frank Pankratz
ENB Companies
9755 W. Charleston Blvd.
Las Vegas, NV 89117

RE: 138-31-713-002
138-31-712-004
138-31-610-002
138-31-212-002 (ZVL-57350)



Mr. Pankratz,

This letter is in response to a request for zoning verification on properties located within Las Vegas, Nevada with Assessor's Parcel Numbers of 138-31-713-002; 138-31-712-004; 138-31-610-002; and 138-31-212-002. The subject properties are zoned R-PD7 (Residential Planned Development District - 7 Units per Acre).

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.) A detailed listing of the permissible uses and all applicable requirements for the R-PD Zone are located in Title 19 ("Las Vegas Zoning Code") of the Las Vegas Municipal Code. The Las Vegas Zoning Code may be found on the City of Las Vegas website:

http://www.lasvegasnevada.gov/LawsCodes/zoning_laws.htm

The department is unable to provide you with a statement as to whether or not this property conforms to current City codes. If a use or building is nonconforming, then Title 19.14 grants certain rights to the owner, which are addressed in Sections 19.14.040 and 19.14.050 located in Title 19 ("Unified Development Code") of the Las Vegas Municipal Code. The Unified Development Code may be found on the City of Las Vegas website:

http://www.lasvegasnevada.gov/files/CLV_Unified_Development_Code.pdf

Should you wish to obtain copies of a Certificate of Occupancy or other public records related to the subject property, please contact the Las Vegas Building and Safety Department at (702) 229-6251. Information regarding City code violations on the subject property can be obtained from the Code Enforcement Division of the Building and Safety Department at (702) 229-2330.

If you have any questions concerning this matter, please contact me at (702) 229-6745.

Sincerely,

Nicole Eddowes
Planner I
Planning & Development Department

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89108

VOICE 702.229.6301
FAX 702.474.0352
TTY 702.386.9108
www.lasvegasnevada.gov

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