

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.

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735 The legal language was put into place by Val Steed, one of our City attorneys, and I'd like him to
736 address elements of the document from a legal standpoint and from he sat in our three
737 Recommending Committee hearings. And this is the second time it's been addressed at City
738 Council. So we've heard a lot of the concerns of people, and he, he'd like to, I'd like him to
739 address, piggyback on what Robert said and how the development of the language and to address
740 what he's heard in the past.

741

742 **VAL STEED**

743 Thank you, Councilman. As staff indicated, we did look at other jurisdictions that have
744 developed things to address this issue. We always try to determine some means that would be
745 constitutional, that would be fair, that would be sustainable in court. A lot of issues have been
746 raised to suggest that this bill has legal problems. Feel free to vote on the bill however you would
747 like as far – as a policy matter is concerned, but I do want to talk about some things that you
748 needn't worry about legally that have been raised and will be raised perhaps here today.

749 The first of – which is that this is directed at one property owner. It could have been directed at
750 one property owner, but it wasn't. It was written to cover golf courses of all kinds, whether
751 existing now, whether it might exist in the future, whether it might pass from public ownership to
752 private ownership. It was to address all kinds of open spaces that were not exempted originally –

753

754 **MAYOR GOODMAN**

755 Right.

756

757 **VAL STEED**

758 – including a lot of property.

759 Now you will notice that some of those, there have been some exemptions added and some
760 exemptions to particular portions of the bill for particular types of property. But in no event does
761 that reduce that down to a small number. There's been a representation that this doesn't apply to
762 PD or – PC zoning or other zoning. It does, unless you're in one of the exemptions, and one of

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763 the exemptions is if you have a development agreement. There are a couple others. But this
764 focuses on a great number of parcels.

765 Now, certain – parts of the – ordinance provide an exemption for those who have CC&Rs that
766 address repurposing of golf courses or open spaces. We don't know today what those properties
767 would be. We would have to examine them to see. A lot of properties have CC&Rs, but not all of
768 them address those things that are provided for in the exemption. So there potentially are a lot of
769 properties out that are still subject to the ordinance. More could come into – its scope if property
770 changes hands from public to private ownership.

771 There's also been a representation that you can't focus on a single property owner. Even if this
772 was focused on a single property owner, which it isn't, there's no rule that says you can't. You
773 can imagine the first contraption that was ever invented or the first medicine, the idea that you
774 have to wait until three or four of those existed before you could adopt a regulation on the
775 subject just doesn't fly.

776 Let me talk a little bit about the private contractual rights that are said to be interfered with.
777 Every zoning ordinance we have, every ordinance on nuisances, every ordinance on building
778 construction interferes with private relationships in that sense. If you want to rent a place to
779 somebody that doesn't have and the place doesn't have plumbing, doesn't have a roof, the
780 government is going to intervene and interfere with that private relationship. That's what
781 government does when it talks about the public interest.

782 Whether this bill is anti-development or not, I'll take the same position that your City Manager
783 did. It's up for you to decide. But we don't have a lot of developers standing up here and saying
784 we'll never come here again. And we've adopted many ordinances that I think impose a greater
785 burden on development than this one, and we haven't heard from them in the past.

786 As far as the impact on a lender, we've had a lender say that this is a taking. If there's such a
787 thing as a giving in the law, this ordinance would be a lot closer to a giving than a taking. Trust
788 me, there's no taking here. A taking is when you deprive a property owner of his rights to
789 develop. And all this does is put some procedure in front of his development.

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790 **COUNCILMAN SEROKA**

791 Val, if I could, there seems to be a discourteous action taking on. Mayor, could we ask that to
792 stop before we continue?

793

794 **MAYOR GOODMAN**

795 Yeah. Whoever has the cricket, could you please silence your little pet cricket?

796

797 **COUNCILMAN COFFIN**

798 It's all for the best when it speaks, Your Honor.

799

800 **COUNCILMAN SEROKA**

801 Thank you, Mayor.

802

803 **MAYOR GOODMAN**

804 Thanks. Thanks.

805

806 **VAL STEED**

807 I know all of you are anxious for me to finish, so I will do that.

808

809 **MAYOR GOODMAN**

810 Because we do want to hear from the public.

811

812 **VAL STEED**

813 I want it understood that I don't care whether this bill is adopted or not, but I do think it's
814 important for the Council to receive guidance about the legal issues.

815 The final thing I want to raise is the, I lost my train of thought here. The retroactivity provision.

816 The only way that this becomes retroactive, and everybody has their own definition of what that

817 means. There's a potential for a property that has a golf course or open space that's, that either

818 has been or will be withdrawn and they have to propose a closure maintenance plan. That's no

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819 different than our ordinances that – prohibit nuisances. That's no different than our ordinance that
820 requires people who have mortgages to let us know when their mortgage goes in default so we
821 that can make sure that they secure their property. We do that all the time.

822

823 **MAYOR GOODMAN**

824 Thank you.

825

826 **VAL STEED**

827 You hear that we don't, but we do.

828

829 **COUNCILMAN SEROKA**

830 Just one question of clarification. Would this require a golf course, an owner of a failed golf
831 course to restore it to pristine golf course conditions when it was operating as a fully functional
832 business?

833

834 **VAL STEED**

835 The ordinance recognizes that that's not gonna happen. So it asks the owner of such a – property
836 to come in and develop a closure maintenance plan that takes into account current conditions.

837

838 **COUNCILMAN SEROKA**

839 Thank you.

840

841 **MAYOR GOODMAN**

842 Thank you very much, because in fact what you've done is discuss it as it really does apply to
843 golf courses. And again, I just reiterate I'm talking open spaces, which in a particular sense right
844 now we may have a golf course that will be considered or is considered an open space.

845 Let's hear from Councilwoman –

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846 **COUNCILMAN SEROKA**

847 Mayor, just to clarify that, golf courses are open space by definition in planning, so they're one
848 and the same –

849

850 **MAYOR GOODMAN**

851 Right. That's fine.

852

853 **COUNCILMAN SEROKA**

854 – with just a different recreational use of the open space.

855

856 **MAYOR GOODMAN**

857 That's fine. I'm not questioning any of that. I'm just saying I'm talking about the – how this takes
858 a big brush and paints everything, which at this point I want more research, and so that's my
859 vote. Councilwoman, and then we're gonna go to the public. You've all been very patient.

860

861 **COUNCILWOMAN FIORE**

862 So thank you. Thank you, Mayor, and thank you, I'm hearing everyone's testimony up here. I
863 just want to make it crystal clear that golf courses may be open space, but open space is not golf
864 courses. And between 1, 3, 5, and my Ward 6, we have open space, and we're down to like an
865 acre. When you create an ordinance that literally paints the whole city of Las Vegas because you
866 have one problem child in one specific ward, that is not okay.

867 Understand that I've talked about this ordinance. Our Mayor has asked for time because it's just
868 not clear. I sit on the Recommending Committee. It's been to Recommending three times. Once I
869 was in Singapore, and the other two times everything the developers have come and asked for
870 and that has been an exchange, that – is not on any of these amendments on this open space that
871 we're hearing today.

872 So there's a lot of work that needs to happen on this, and rushing it through and then the –
873 biggest thing is this City, this City is in several lawsuits, as our Mayor has stated before. And as
874 we continually make ordinances, we're creating more lawsuits that the taxpayers of the city of

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875 Las Vegas are paying for. We're over a million dollars outside the door just on a few of these
876 lawsuits.

877 And let me tell you, Ward 6, okay, I have a golf course in my community, and our golf course,
878 our Silverstone golf course, you know, there's – I'm going to read an email from our Silverstone
879 Ranch Community Association, because understand we have 1,572 Silverstone members. Some
880 members of Silverstone are for it. Some are not for it. And this is where my Silverstone Ranch
881 Community Association sits on this. Okay.

882 From Tom Masson. There may be a few Silverstone residents who plan to attend, but please note
883 that these individuals that are there do not represent the SRCA, which is Silverstone Ranch
884 Community Association Board of Directors. The Board has not taken a formal position while
885 this ordinance evolves and has not formally polled all the members for sentiment. It would be
886 good to hear another ordinance checkpoint with you in the near term, perhaps a block of time
887 when you're at the Centennial Hills.

888 So understand Ward 6, and I'm asking my – peers, let's take the time and do this right. This
889 again, golf courses are open space, but open space is not golf courses. And in all of our wards,
890 besides golf courses, I have a golf course and open space. It's very, very important. And, you
891 know, and then some of the other damaging language that's in here about putting developers in
892 jail and fining them. I mean it's really, I have to tell you, quite a disturbing ordinance, and I –
893 cannot support this at all in this form.

894

895 **MAYOR GOODMAN**

896 (Addressing the audience) Please, please, please. Okay. All right. Please let's be respectful. We're
897 gonna open up public comment now.

898 So for any of you that are in large groups, I would highly ask – I'm just trying to figure out a
899 way to do it that for every five people find a spokesperson, that would be helpful. And we are
900 gonna start, I will give every person, we're gonna start with two minutes. If in fact it becomes
901 and you get another four people to give you their two minutes, we can go beyond it.

902 So what we'd like to do is not reiterate, not repeat something that's already on the table. But then
903 again, too, say your name very clearly. The gentleman was first, even though it's the day of

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904 always the lady. But since he was first, we'll start with the gentleman, and then you'll be second
905 and you'll be third. So please, and we'll set the time at two minutes please. And if your name is
906 unusual, if you would spell it for our City Clerk.

907 Please.

908

909 **DAVID MASON**

910 Hi.

911

912 **MAYOR GOODMAN**

913 Welcome and thank you for coming.

914

915 **DAVID MASON**

916 I'm David Mason. I live in a community next to an open space which is trying to be converted
917 now. But I've only been there 11 years, but I've been in town 56.

918

919 **MAYOR GOODMAN**

920 Oh, and could you tell us now if this is germane to whether it's –

921

922 **DAVID MASON**

923 I live in Queensridge Towers.

924

925 **MAYOR GOODMAN**

926 Okay. That would be very helpful to us if you live, who knows, in Ward 5, 3, 1, wherever you
927 are. This, now I'm just gonna ask. That's fine. Thank you. Please continue.

928

929 **DAVID MASON**

930 Okay. And I would say in the last 40 years I've been more of a developer than just a resident of a
931 neighborhood. When you talked about the broad brush being everywhere from an acre to an
932 unlimited number of acres, if you take a look downtown and see what can be built on an acre,

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933 you'll realize why an acre of land can put a very large development on it. So I'm in agreement
934 that it covers all kinds of development, whether it's on an acre or 200 acres.
935 The other thing is, as a developer, anybody that's worth their salt does their homework before
936 they come here. I've always been bothered a little bit by the Council approving things without
937 having traffic reports, school reports, all of that information, because and it said but then the staff
938 will review that and make a decision. Well, that doesn't give the people making the decision, the
939 real decisions the information they need.
940 And I can tell you, as a developer, I've developed a lot. I'm doing it right now in the City and in
941 the County, and in all of those I have to do what I have to do to have a successful development.
942 Forget whether it's what the City wants or doesn't. You need the traffic, you need to have the
943 roads work. You need to have the parking. You need to have all of those elements.
944 So I don't think you're scaring one developer away by saying why don't you give us those
945 upfront. Thank you.

946

947 **MAYOR GOODMAN**

948 Thank you very much. Yes, Ma'am.

949

950 **TERRY STRONG**

951 My name is Terry Strong. I'm a resident of Silverstone Ranch. And, Madam Mayor, you stated
952 earlier that you were going to recuse yourself from voting on any of the things on the agenda
953 today having to do with the marijuana business.

954

955 **MAYOR GOODMAN**

956 Correct.

957

958 **TERRY STRONG**

959 And yet you are going to vote on this ordinance, which another son of yours or maybe the same
960 son is representing and possibly has a financial interest in the developer who has bought and is
961 wanting to develop Silverstone Ranch. Your words in your opening statement could have been

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962 straight out of Ross' mouth in our court hearings that we've had about the state of the golf
963 industry and how profitable it is or not.

964 And I would ask that you recuse yourself from this vote, seeing as how if your family is involved
965 in the marijuana business, they are also involved in the business of representing the developers of
966 a golf course. So –

967

968 **MAYOR GOODMAN**

969 I will turn that to counsel on that. Please, do we call –

970

971 **TERRY STRONG**

972 Ross represents the original buyer. He is still involved in our legal activities, because we still
973 have an open case in front of Federal Judge Boulware, and I believe that if we're having family
974 conflict here, that Ross is involved in our business at Silverstone as he is –

975

976 **MAYOR GOODMAN**

977 Let me – let me find out.

978

979 **TERRY STRONG**

980 – as your other son may be in the marijuana business.

981

982 **MAYOR GOODMAN**

983 Thank you, I appreciate that. I have four children who are all in their 40s. Now they're involved
984 in lots of things, and maybe I do have to recuse myself. So let me go to legal and ask, and then
985 you'll have to subpoena my son to find out what his involvement is, because he is an attorney
986 and, unfortunately or fortunately, I don't know who his clients are and that's an attorney-client
987 privilege. So I'm gonna turn to counsel on this.

988

989 **TERRY STRONG**

990 Thank you for considering that.

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991 **TERI PONTICELLO**

992 Madam Mayor, I mean, just as you have just spoken, it doesn't seem like you are – Are you
993 aware of your son's representation in whatever it is having to do with the golf course at issue?

994

995 **MAYOR GOODMAN**

996 That he is currently involved in any of this, absolutely not.

997

998 **MAYOR GOODMAN**

999 (Addressing the audience) No, no, no. Wait, wait, wait. Please let's – I mean, in fact, I – defer to
1000 you on this.

1001

1002 **TERI PONTICELLO**

1003 Unless it can be confirmed –

1004

1005 **MAYOR GOODMAN**

1006 The only thing I can confirm is somebody from the neighborhood had mentioned to me, which I
1007 did ask my son, I'm gonna say three, four years ago that he was involved in some golf course
1008 something, and that's all I can assure you.

1009

1010 **TERI PONTICELLO**

1011 So quite frankly, at this – point in time, I think if that's a disclosure –

1012

1013 **MAYOR GOODMAN**

1014 It does not just prejudice me one way at all.

1015

1016 **TERI PONTICELLO**

1017 A disclosure at most of what you may possibly know. It doesn't sound like it's definitive. So –

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1018 **MAYOR GOODMAN**

1019 Thank you. Thank you.

1020

1021 **TERI PONTICELLO**

1022 – we can be aware of that.

1023

1024 **MAYOR GOODMAN**

1025 Thank you. Next please, Sir.

1026

1027 **PATRICK KERN**

1028 Hi. My name is Patrick Kern, and I'm a resident of Queensridge currently. Yeah, hello, Mayor
1029 Goodman.

1030

1031 **MAYOR GOODMAN**

1032 Former student of mine, so maybe that creates something special too. Hi, Patrick, good to see
1033 you.

1034

1035 **PATRICK KERN**

1036 Soon to be a resident of downtown Las Vegas –

1037

1038 **MAYOR GOODMAN**

1039 We love that. Thank you. Welcome.

1040

1041 **PATRICK KERN**

1042 – and I love the development that's going on down here.

1043

1044 **MAYOR GOODMAN**

1045 Welcome.

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1046 **PATRICK KERN**

1047 I – am in support of this ordinance. I don't think it's unreasonable to ask for a strategic plan from
1048 a developer to consider how things are going to work out ahead of time. Anyone who's ever gone
1049 to a Trader Joe's can understand the value of a parking study. So, I mean, I understand what
1050 you're saying with respect about it painting with a wide brush, but simply asking developers to
1051 plan their developments is not a bridge too far. And that's all I have to say. Thank you.

1052

1053 **MAYOR GOODMAN**

1054 Thank you. Welcome back.

1055

1056 **PATRICK KERN**

1057 Oh – and Councilwoman Fiore, Mayor John Ingram of Marietta speaks very highly of you. He's
1058 a friend of mine. I've recently moved back from there and would request that I get on your
1059 Christmas card list.

1060

1061 **MAYOR GOODMAN**

1062 Great.

1063

1064 **DAVE ARPIN**

1065 Dave Arpin, 7635 Maggie, Ward 6. I ask that you please support this bill. This bill forces
1066 investors, developers to seek your permission to build rather than beg your forgiveness
1067 afterwards with variances and retroactive problems after the fact.

1068 We are homeowners, and we're not against jobs. We're not against building. We're not against
1069 development. But we do have a problem with the taking of property through some very nefarious
1070 ways at below market values of the development, which basically robs the homeowner. You've
1071 talked about not wanting to rush this bill through. How about passing the bill so as not to rush the
1072 development through beforehand? Thank you. We ask you.

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1073 **MAYOR GOODMAN**

1074 Thank you very much. Yes, Sir.

1075

1076 **JOHN JOHNSON**

1077 Hi. Hi. My name is John Johnson. I'm a community organizer in Ward 5. I wanted to come up
1078 here and actually speak on something that Michele Fiore had said, and that's why, you know, I
1079 wanted to come and speak today, because, like she said, you know, golf courses are open spaces,
1080 but there's a lot of open space that's not golf courses, and specifically in Ward 5 there is a lot of
1081 open spaces. There are a lot of vacancies, and we hope, you know, working with the new
1082 Councilman, that we can come in and develop that stuff. So I'm very curious how that would
1083 affect our development in Ward 5.

1084 Secondly, like she said, you know, it seems like you guys are putting this ordinance together for
1085 one problem child that's gonna affect everybody in Las Vegas as well as the money situation. A
1086 lot of people don't know is that when the City gets sued, the City doesn't have insurance. You
1087 know, they pay everything out of pocket. So, therefore, the more lawsuits that is piled up, you
1088 have to pay your attorney fees. You have to pay legal fees. Then if you lose your case, you have
1089 to pay the settlement. You know, so like she said, if we pass this, what stops them from – making
1090 another lawsuit? It seems like this Badlands whole thing is just like one drawn out, you know,
1091 horror story or something. It's like it's a never ending battle.

1092

1093 **MAYOR GOODMAN**

1094 Thank you.

1095

1096 **JOHN JOHNSON**

1097 And, you know, it seems like this is just gonna continue to pile on the fight, and you guys are not
1098 getting anywhere.

1099

1100 **MAYOR GOODMAN**

1101 Thank you.

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1102 **JOHN JOHNSON**

1103 So, you know, I would really urge you guys, especially Councilman Crear, you know, maybe not
1104 to approve it. Maybe look, you know, at how we can make it better. But I just see this as being a
1105 problem, not a solution. Thank you.

1106

1107 **MAYOR GOODMAN**

1108 Thank you very much. Please. Please. Yes, Ma'am, and your address.

1109

1110 **KATHLEEN OLANDER**

1111 Kathleen – Olander. I live in Ward 6, next to Silverstone Ranch, and I just want to reiterate I've
1112 worked in development projects. I think this – open space ordinance is necessary, because it's
1113 going to put forward a level playing field. So especially in the infill areas, I don't think it's going
1114 to stop development in 1, 3, and 5. But what it's going to do is provide a environment so that all
1115 these studies could be done first.

1116 Mayor Goodman, you've been an educator. You, Councilwoman Fiore, you're a grandmother as
1117 well. And how would you feel if your grandchildren were in an area that's infilled, when the
1118 studies were done as an afterthought, the schools are overcrowded, because we didn't do the –
1119 homework first? So I just implore that you change your mind, because in Las Vegas going
1120 forward it will affect our quality of life if we infill without doing the studies first.

1121

1122 **MAYOR GOODMAN**

1123 Thank you. Thank you. Yes, Sir.

1124

1125 **STANLEY WASHINGTON**

1126 Stanley Washington, community organizer and diversity advocate primarily in Ward 5, but I do
1127 dip into other parts of the county as well. October 25th of this year means 25 years for me in this
1128 town. I don't think anybody up there's been there, on there 25 years, there and so as I move
1129 forward with knowing a little bit about something about what's going on in Ward 5 there, I just

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1130 want to go ahead and say that Councilman Crear, this item came to our normal Tuesday
1131 meetings, came there before. I think it deserves an opportunity to come back before.
1132 There is an interest here in finding out more about this here. I believe you're gonna be invited, if
1133 you haven't already been invited, to our next Tuesday meeting. You were invited to this last one,
1134 but the election prevented that from taking place. We're very serious about this. We need to learn
1135 more about this.

1136 In this building, on November 27th, the Governor's Office, along with the Federal Reserve Bank
1137 of San Francisco, is holding an opportunity zone meeting, and according to the information that I
1138 have there's at least \$6 trillion, \$6 trillion with a "T," that's in the total marketplace to be dealt
1139 with. And the specific purpose of the O Zone ordinance that was put together by two African-
1140 American U.S. Senators and two African-American U.S. Congressmen, specifically for poor
1141 areas, specifically for the black community for development. That meeting is taking place in this
1142 hall on November 27th, and I'm bringing forth, of that \$6 trillion, \$100 billion of it to Ward 5 for
1143 discussion, because I have the knowledge and the (inaudible) to do that. And what we're talking
1144 about here flies in the face of that situation.

1145 I'm sorry, Mr. Seroka, who got there for his own means and everyone knows that. But
1146 Councilman, we are talking about what the Mayor is talking about. Hold up and pause while we
1147 have an opportunity and how it affects our ward. I could care less about the rest of them. Thank
1148 you very much.

1149

1150 **MAYOR GOODMAN**

1151 Thank you. You're next. You go first, and then we'll hear from the lady. Thank you. Please.

1152

1153 **TERRY HOLDEN**

1154 My name is Terry Holden. I live at Queensridge Towers. I am in favor of Bill 2018-24. I have
1155 been in the real estate business. I've done development, and I would never, ever consider not
1156 doing the front end work beforehand. I don't want surprises. I don't want to be arguing over what
1157 is a conditional approval. Did I qualify or not? So a developer is a damn fool for not doing the
1158 work upfront or lazy or whatever.

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1159 The other thing, have any of you been through Queensridge recently, in the last month? It is
1160 horrible. Trees are cut down. Vegetation's dying. There's the ugliest red signs right in front of
1161 people's homes. No consideration is being given to the homeowners.
1162 We're talking about developers. We're not chasing them away, but we're crucifying the
1163 homeowners, the families. Kids could be looked at having, you know, they move into a home,
1164 they love their home, and they end up being bused to a different school. There's so much that is
1165 just wrong with this whole process. Thank you.

1166

1167 **MAYOR GOODMAN**

1168 And golf course specific – so, you know, your words are well taken for anybody who lives on a
1169 golf course that either is gonna be repurposed or whatever. So again, too, I mean, I think there's a
1170 sense here trying to do always the right thing. But thank you for your comments. You're, you
1171 know, it comes from your heart. We can tell that.

1172

1173 **TERRY HOLDEN**

1174 Well, Mayor, I – heard you many times tell the developer to keep watering the course. And I
1175 think after you said it the last time, he threw it right in your face, cut the water off, decimated the
1176 community. That, boy, that doesn't bode well and was foolish.

1177

1178 **MAYOR GOODMAN**

1179 Thank you. Yes, Ma'am.

1180

1181 **PATRICIA SALVADOR**

1182 Good morning, Mayor Goodman and Council people. My name is Patricia Salvador. I bought my
1183 home in the first development of Summerlin 24 years ago. It's The Pueblo, very close to this golf
1184 course that we're speaking about.

1185 When I bought there, it was a planned community, and they say they were going to be six golf
1186 courses, open public spaces –

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1187 **MAYOR GOODMAN**

1188 Wow.

1189

1190 **PATRICIA SALVADOR**

1191 – shopping centers, churches. Everything was going to be planned as a planned – community. I
1192 bought there because that was my retirement home, my forever, everlasting home. And now 24
1193 years later, what was promised to me when I bought my home to retire in, and believe me there's
1194 a lot of people that were older than me that's no longer here, but that's no excuse for what was
1195 promised and what we paid for to be taken away.

1196 I agree with you, Mayor Goodman, that Las Vegas is like a lot of children, and everybody is
1197 saying I want. And some people want development, some don't. I – agree with that. I have no
1198 problem with development. But you know what? I don't want my retirement home to be a busy,
1199 busy street. As I get older, I don't want to be driving and worry about a whole bunch of people
1200 being late to work, a whole bunch of people trying to get their kids to school, get kids home.
1201 Overdevelopment for seniors, as you may well know in a few short years, is not kind. The
1202 hardest things for seniors is to be taking away with their driving privileges to get to the doctor, to
1203 get their shopping done. If we overdevelop Summerlin area, it's gonna be a problem for many
1204 seniors. I'm not quite there yet, but my husband is. He's 82.

1205

1206 **MAYOR GOODMAN**

1207 He's a young man.

1208

1209 **PATRICIA SALVADOR**

1210 So I really want to – keep seniors on the road safely.

1211

1212 **MAYOR GOODMAN**

1213 Thank you. And so do we. Thank you.

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1214 **PATRICIA SALVADOR**

1215 Okay, thank you.

1216

1217 **MAYOR GOODMAN**

1218 Thank you. I think you are next.

1219

1220 **RICK KOST**

1221 I think I'm next.

1222

1223 **MAYOR GOODMAN**

1224 Thank you.

1225

1226 **RICK KOST**

1227 Hi. My name is Rick Kost. I'm at 9813 Queen Charlotte. That is in Queensridge. A couple
1228 points. I think if we had had this ordinance in place when Queensridge was bought, there
1229 wouldn't be this fight because it would still be green. We wouldn't have a hostile situation
1230 because certain actions were done on both parts. You wouldn't have the lawsuits because all
1231 these issues would have been handled before, would have been addressed before. This solves the
1232 lawsuit issue.

1233

1234 **MAYOR GOODMAN**

1235 May I interrupt you? You get your two minutes, but I want to turn to Mr. Perrigo. Please on this,
1236 according to your statement was had this ordinance, as it's written, been in place – just repeat
1237 your statement if you want to. I wanna hear truth.

1238

1239 **RICK KOST**

1240 Basically what I said is I – think that we would have not be in this spot. We wouldn't have been
1241 as adversarial, and it would have been a logical sequence of decisions that people would have
1242 gone along with.

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1243 **MAYOR GOODMAN**

1244 Would it have been different had this been in place, yes or no?

1245

1246 **TOM PERRIGO**

1247 Your Honor, I can't say if it would have been different or not. But most of the steps that are
1248 required in this ordinance were followed through that process, because there was a requirement
1249 for a development agreement, which requires all those studies in advance.

1250

1251 **MAYOR GOODMAN**

1252 So what he's saying is really those pieces were already in the process at the time. There's a
1253 uniqueness to the issue with which you're referring.

1254

1255 **RICK KOST**

1256 Well –

1257

1258 **MAYOR GOODMAN**

1259 And so this ordinance wouldn't have – from what I'm interpreting there, those pieces were
1260 already in place. It's just different right now because it's front ended with costs.

1261

1262 **RICK KOST**

1263 But they would have been moved up front. It would have been moved up front, and – the point of
1264 even maintaining the golf course, which immediately polarized both sides –

1265

1266 **MAYOR GOODMAN**

1267 Well, that is true.

1268

1269 **RICK KOST**

1270 Both sides got adversarial rather quickly and lost even the point of the development because of
1271 that particular point. You've had a series of points that became after the fact. If you had rolled

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1272 these upfront and had been able to address and negotiate together, we probably wouldn't have
1273 seven, eight, nine lawsuits. I'm not saying that there wouldn't any, but you would have resolved
1274 some of these things before they got to that environment where neither side wanted to listen or
1275 pay attention.

1276

1277 **MAYOR GOODMAN**

1278 You're absolutely right. In fact, the issue four and a half years or four years ago was that the
1279 private sector get together, both together and work out resolution. But lawyers got involved
1280 immediately. But the question that I specifically asked is what you're bringing up. Had we had
1281 this particular ordinance in place, would it made, have made any difference to where we got?
1282 And the answer was –

1283

1284 **COUNCILMAN COFFIN**

1285 Your Honor.

1286

1287 **TOM PERRIGO**

1288 Well, again, Your Honor, I can't say how that would have changed the course of history. But the
1289 requirements in this ordinance were met. If this ordinance were in place, that process would have
1290 been the same upfront, because those studies were required in advance, and they were part of that
1291 entitlement package.

1292

1293 **MAYOR GOODMAN**

1294 So I just wanted you to have the facts. Thank you.

1295

1296 **RICK KOST**

1297 Well, the only – reason I said when you first approved the first apartment thing, all those things
1298 weren't in place yet. They came after the fact, not before. When you did that first 453 units or
1299 whatever it was, all those other parts weren't in place.

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1300 **MAYOR GOODMAN**

1301 Right. There were – conditions that were being met as had been processed before then. So I just
1302 wanted you to have the actual facts.

1303

1304 **RICK KOST**

1305 What – happens with the developer, and he doesn't think conditional. He thinks that's a go, and
1306 all he's got to do is here's my stepladder. It's a go. It's not conditional but –

1307

1308 **MAYOR GOODMAN**

1309 Well again, too, while the issues at – the golf course, this specific golf course and perhaps other
1310 golf courses, absolutely. That's why we're trying to fix this so we don't have recurring problems.

1311 But again, too, this is all about a, it's not specific to one. It shouldn't be specific to one or two. It
1312 should be golf courses perhaps, because of the change in society and the interests and how do
1313 you keep them up and keep the investor and the resident having the priority of what he
1314 envisioned for his future looking out the windows?

1315

1316 **COUNCILMAN COFFIN**

1317 Your Honor.

1318

1319 **MAYOR GOODMAN**

1320 How do you protect that? So all I was saying is my piece is the open spaces piece to take it out.

1321

1322 **RICK KOST**

1323 It should be the same for open space.

1324

1325 **MAYOR GOODMAN**

1326 So I just wanted you to know, according to what I heard just again reiterated, that had this been
1327 in place, we would still be where we are because the conditions were there. And the only thing
1328 I'm objecting to is the upfront cost to the developer, which may preclude – It's a cost. It's not that

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1329 the study shouldn't be done, but it's the heavy cost that is imposed upon the developer in other
1330 areas. I – have had no question with the helping for the golf courses now and in the future.

1331

1332 **COUNCILMAN COFFIN**

1333 Your Honor. I – Please.

1334

1335 **RICK KOST**

1336 If a developer cannot afford those costs upfront, he probably should not be developing it.

1337

1338 **MAYOR GOODMAN**

1339 Okay. Well –

1340

1341 **COUNCILMAN COFFIN**

1342 Please, Mayor.

1343

1344 **MAYOR GOODMAN**

1345 I – thank you so much for your comments. Thank you.

1346

1347 **COUNCILMAN COFFIN**

1348 Please, Mayor, please.

1349

1350 **MAYOR GOODMAN**

1351 Yes, Sir.

1352

1353 **COUNCILMAN COFFIN**

1354 Please. Please.

1355

1356 **MAYOR GOODMAN**

1357 Who was next? Please.

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1358 **COUNCILMAN COFFIN**

1359 I'd like to be – I'd like to ask something of the witness if I may. Thank you, Mayor. The issue is,
1360 and I'll ask you because, you know, you have an impression. Probably a couple years ago we had
1361 a public meeting on this here, and I announced then that I had had a meeting with the developer
1362 to present a compromise before this got really litigious in order to help save the taxpayers some
1363 money and frankly the developer and of course the grief that fell on the people there.
1364 I think that should have been essentially part of what would be happening, that other members of
1365 other Council, of the Council representing other wards have an interest in all other wards as – I
1366 share interests in Ward 3. And I – think that it should be remembered that the developer ignored
1367 and then rejected that, and then, of course, sued me, because that's his prerogative to go ahead
1368 and spend the taxpayers' money as he sees fit. But he's the richest guy in the state of Nevada.
1369 You know, that's kind of easy for him.

1370

1371 **COUNCILWOMAN FIORE**

1372 Mayor, where are we, you know –

1373

1374 **MAYOR GOODMAN**

1375 Well, I think the – issue is here. There's obviously we all know that there are real issues that we
1376 have been working for to encourage the sides to come together from day one three and a half
1377 years ago. So the issue, but it's broader than that, and that's what the issue of the ordinance is in
1378 its breadth.

1379 We understand the Badlands, and we've all encouraged trying to pull the sides together. We got
1380 really close. We almost had it, but the reality, it's not only Badlands. This issue is about
1381 everything in the city. So that's all. And I appreciate your coming down, and you said it so
1382 nicely, and it was really helpful. And hopefully, the water will be turned on. One day it will be
1383 magnificent.

1384

1385 **RICK KOST**

1386 Thank you.

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1387 **MAYOR GOODMAN**

1388 Thank you. I think you're next.

1389

1390 **RON IVERSON**

1391 I believe I'm next. Good morning. My name is Ron Iverson. I reside at 9324 Verlaine Court in
1392 Queensridge. And I'm here today in favor of the ordinance, and I'm a little bit chagrined that it's
1393 golf course and open space, because I agree with Councilman Fiore that golf courses are
1394 certainly included in this, but this is more than just about golf courses. It's about open space in all
1395 of our communities. I'm in favor of the proposed open space ordinance.

1396 First, the proposed ordinance is both good for the developer, the residents, and City officials. It
1397 ensures City expectations and development requirements are clearly defined for developers
1398 upfront and not made up along the way in terms of interpretation. It ensures that residents are
1399 made aware of development activity and given the opportunity to engage, ask questions, surface
1400 concerns, and determine whether or not that development is good for their individual
1401 community. And then finally, it ensures that City officials have all the right information before
1402 they are asked to make critical decisions on the improvement within our city.

1403 Second, the proposed ordinance is not overly burdensome as some would have you believe. In
1404 fact, if you read what's gone on in South Carolina, in Florida, in Texas, in California, this is
1405 really a light version of the requirements that are established there. In fact, staff has selected the
1406 best practices of a national wave of like ordinance to bring the very best to Las Vegas. And this
1407 ordinance just asks for the due diligence be done before you're asked to make your decision.

1408 And so I would urge you to value their research as well as the recommendation.

1409 Finally, before voting today, I would ask you to reflect on the motto of this Council that's on this
1410 sheet of paper in your agenda. All your pictures are on here, and so I believe you all support it.

1411 And it says: Building community to make life better. And how better to uphold and to fulfill that
1412 pledge then to adopt this ordinance that protects community rights, ensures clear and timely
1413 process while encouraging thoughtful and smart development in our community. And for those
1414 reasons, I would urge you to vote yes for this ordinance.

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1415 **MAYOR GOODMAN**

1416 Thank you very much.

1417

1418 **RON IVERSON**

1419 Thank you.

1420

1421 **MAYOR GOODMAN**

1422 Sir. Yes.

1423

1424 **PAT SPILOTRO**

1425 Hi. My name is Pat Spilotro, 8177 Bay Colony. I live in Silverstone Ranch. I'm the homeowner
1426 that was here in February of 2017, when you guys passed the 420 on the 17 acres of
1427 Queensridge. I came in that morning for a specific reason, and that was to give the Mayor an
1428 opportunity to recuse herself, because of the fact I did inform you that your son is still
1429 representing and today is still representing Ron Richards, who is a named defendant in the
1430 Silverstone Ranch Golf Course. His plaintiff benefits greatly by any development of any golf
1431 course. This is what these people do for a living. They're in 12 golf courses. Not one, 12.

1432 Second of all, when you're looking at some of these ordinances and you're talking about open
1433 spaces, how many of these open spaces are actually classified as vacant and not actually
1434 classified as open space? Because a lot of the stuff you're gonna find in Wards 1, 3, and 5,
1435 specifically in 5, you're gonna find that a lot of those are vacant spots, not open spaces. It doesn't
1436 govern open spaces. It actually governs – I'm sorry. It doesn't govern vacant. It actually governs
1437 open spaces.

1438 When the City gets a proposal from a developer, the developer goes out and buys a piece of
1439 vacant land. He doesn't buy a golf course, close it and then try to develop it. A real developer
1440 goes out to Sky Canyon, buys a piece of land, puts all these people to work, an actual developer.

1441 These people are scavengers. They're going in and buying small pieces of property. They're
1442 asking for exemptions. They're screwing all the homeowners that live there and invested into
1443 these neighborhoods. I'm sorry, but that's just the plain and simple language of it. Everybody has

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1444 an investment, and they did the investment based on this City Council's actions. You guys okay
1445 these projects. You okay the open space. You allowed the developers to charge extra for the
1446 residential areas, and you have an obligation to protect that, because of the fact that you allowed
1447 the homeowners to get that equitable servitude. That's what was established.

1448 In Silverstone Ranch, 624 acres. I know I'm over my limit. Silverstone Ranch is 624 acres. 272
1449 of that is golf course. Pulte was allowed under the previous Mayor Goodman to build 1,873
1450 units. They built 1,526. They're only entitled to 1,026. Not 1,526. I'm sorry, 1,056. That's –

1451

1452 **MAYOR GOODMAN**

1453 Please take your two minutes. Finish up, please.

1454

1455 **PAT SPILOTRO**

1456 That's 352 acres times RPD-3 hard zoning for Silverstone Ranch. The City bent us over.

1457

1458 **COUNCILWOMAN FIORE**

1459 Mr. Spilotro, just to be crystal clear, thank you for your time. Also our legal has addressed the
1460 issue with the Mayor's son. So thank you, and that issue's not. Thank you. Have a great day,

1461 Mr. Spilotro.

1462

1463 **MAYOR GOODMAN**

1464 Thank you.

1465

1466 **KIRBY GRUCHOW**

1467 Good morning, Esteemed Chair and Councilmembers. My name is Kirby Gruchow. I'm with the
1468 law firm –

1469

1470 **MAYOR GOODMAN**

1471 Wait. Start again and your name, please and where you live.

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1472 **KIRBY GRUCHOW**

1473 I'm sorry. Good morning, Esteemed Chair and Councilmembers. My name is Kirby Gruchow.
1474 I'm with the law firm Leach Kern Gruchow Anderson Song. We represent approximately 700 to
1475 800 homeowner associations in the state of Nevada.
1476 Our specific concern arises from Paragraph F4 in the ordinance that talks about the exclusion for
1477 CC&Rs. While that might be appropriate while the developer and declarant is in control of the
1478 association and they're allowed to do what development they need to do, it would not be
1479 appropriate, in our opinion, to allow a volunteer board to take over the City's role in overseeing
1480 the governing documents and the applications that are submitted to the association.
1481 The way the City code has always worked is the CC&Rs work in harmony with the ordinance.
1482 So our concern is that this potentially could be read to say that the CC&Rs trump and supersede
1483 the ordinance, trump and supersede at least Paragraph F –
1484 Paragraph F deals with existing channels and washes. It could put the association's volunteer
1485 board in a situation where it's making decisions in development plans involving what should be a
1486 public flood control planning purposes that are overseen by the City. We want to make sure that
1487 either legislative intent is clarified that this is not intended for this provision to supersede, be
1488 superseded and replaced by the CC&Rs, and that the volunteer boards are not intended to take on
1489 the City's responsibility to review development plans, hire architects, determine what can and
1490 cannot be put on their golf courses. That it should be read in harmony with the CC&Rs, either by
1491 removing that paragraph, modifying it so that it only applies during the declarant control period,
1492 or making it clear on the record that that's not the legislative intent, that the legislative intent is
1493 not for the CC&Rs to take the place of this ordinance for any or all purposes under this
1494 ordinance. Thank you.

1495

1496 **MAYOR GOODMAN**

1497 Thank you. That's very helpful because of the fact if, in fact, this does go through further review,
1498 before it's finally passed, and it may pass today, I don't know. That's very helpful information
1499 which helps us do a better job with what we're supposed to be doing. Yes, Sir.

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1500 **COUNCILMAN SEROKA**

1501 Mayor, if possible, the City Attorney could address that concern and clarify.

1502

1503 **MAYOR GOODMAN**

1504 Sure.

1505

1506 **VAL STEED**

1507 Yeah, I appreciate the representation made by Mr. Gruchow, but CC&Rs operate completely
1508 independently of zoning. The failure to adopt one doesn't implicate the other. The adoption of
1509 one doesn't affect the other. There's nothing in – If he wants legislative intent, there's no intent in
1510 this ordinance to turn government responsibility over to a homeowners association. The City
1511 would be powerless to do that anyway.

1512

1513 **MAYOR GOODMAN**

1514 Thank you. Thank you. Yes, Sir.

1515

1516 **GREG KERR**

1517 My name is Greg Kerr. I'm the attorney with the law firm of Wolf, Rifkin, Shapiro, Schulman &
1518 Rabkin. We represent Peccole Ranch Community Association, also represented by
1519 Mr. Gruchow's firm as well. We represent about 800 different homeowners associations here in
1520 Clark County and throughout the state. Many of them have golf courses and open space.
1521 One of the concerns, the concern we have is, just to echo what – Kirby was saying, was the F4
1522 subsection stating that we believe that it could be read that it's an exception to the requirements
1523 in the ordinance, leaving the association as the entity in charge of making the decisions that the
1524 City Council or Planning or whoever it may be would otherwise be making. We don't want to
1525 place that responsibility on homeowner – volunteer board members who are homeowners who
1526 have lives outside of their HOA service, who don't have the expertise that the County or the City
1527 has or the developers have.

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1528 I know Councilwoman Fiore had mentioned earlier, basically made a statement stating that more
1529 regulation means more litigation. And as an attorney, ironically it's my job to keep my clients out
1530 of litigation. And if my client associations are in charge of or charged with the responsibility of
1531 making determinations as to what a developer can and can't do with some open space, a park, a
1532 golf course, whatever the case may be, that's certainly going to open the association and its
1533 owners up to liability and judgment. So we would ask that, whatever the disposition of this
1534 ordinance becomes or is, that it would at least strike that particular subsection.

1535

1536 **MAYOR GOODMAN**

1537 Thank you very much for your input.

1538

1539 **COUNCILMAN SEROKA**

1540 And Mayor –

1541

1542 **MAYOR GOODMAN**

1543 Yes.

1544

1545 **COUNCILMAN SEROKA**

1546 Again, Val could address that one more time if that's helpful.

1547

1548 **MAYOR GOODMAN**

1549 Well, why don't you just take that under consideration later. Your points are well taken, and it's
1550 more information.

1551

1552 **COUNCILMAN SEROKA**

1553 And I think he addressed and clarified –

1554

1555 **MAYOR GOODMAN**

1556 So thank you.

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1557 **COUNCILMAN SEROKA**

1558 – that that was not the intent of that, that the City's policies apply in all cases.

1559

1560 **MAYOR GOODMAN**

1561 No, he's just saying for changing going forward. So let's move on. Let's hear from the public.

1562

1563 **COUNCILMAN SEROKA**

1564 City policies apply.

1565

1566 **MAYOR GOODMAN**

1567 Thank you for your input. Yes, Ma'am.

1568

1569 **MARYANN GOODSSELL**

1570 Maryann Goodsell. I am currently a board member of the Peccole Ranch Homeowners

1571 Association. We have nearly 3,000 units that we work with, and I've been serving there for the

1572 past seven years. I'm just representing our board at this time.

1573 We've had a chance to review this ordinance that you're proposing, and our concern is of specific

1574 Subsection 4 and the wording, the languages the two attorneys mentioned makes us as a

1575 homeowners association board very vulnerable, because the language is not clear. My – Our

1576 main concern is that this may allow the developers to be, to exempt themselves specifically to

1577 following the zoning laws, the CC&Rs because it's not especially clear as to what the final –

1578 ruling would be, and that would leave us as a board of directors in a very vulnerable position. We

1579 would no longer then proceed as we have with our architectural review committees, our design

1580 review committees, and that leaves – We are not protected in the same way that public officials

1581 are protected, and that makes us very susceptible to liability.

1582 So whether again this is removed or there are very clear clarifications made, as a board of

1583 directors member I think that would be appreciated and would leave us in a position where we

1584 can continue to enforce our CC&Rs and not worry about a developer or a private property owner

1585 leaves us vulnerable. Thank you.

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1586 **MAYOR GOODMAN**

1587 Thank you. And you as well. It was pink day in your home.

1588

1589 **JAN PORTER**

1590 I got the memo. My name is Jan Porter. I'm the General Manager for Peccole Ranch Community

1591 Association, and I thank you for hearing this issue today and especially for the clarification,

1592 which I am assuming will be on record to say that the HOA CC&Rs are not responsible for this.

1593 And so it will go as we all expect it to under federal, state, county, and city laws first and save

1594 our board. So thank you so much for this consideration.

1595

1596 **MAYOR GOODMAN**

1597 Thank you.

1598

1599 **JAN PORTER**

1600 And thank you for putting it on the record.

1601

1602 **MAYOR GOODMAN**

1603 Thank you. Thank you very much. Yes, Ma'am.

1604

1605 **ELAINE WENGER-ROESENER**

1606 Hi. Good morning. My name is Elaine Wenger-Roesener, and I reside at 9811 Orient Express

1607 Court. And although I do serve on the board of the HOA for Queensridge community, I'm here to

1608 speak to you as a resident of Queensridge. And I would like to submit 92 names, 92 signatures I

1609 have. This represents one signature per household. Had we thought to get two, I think you could

1610 almost double that number of people in support of the open space ordinance.

1611 I would just like to put on the record that Henderson has adopted an open space ordinance, and it

1612 started this process after the City of Las Vegas, and it's already adopted the ordinance. It's in

1613 effect.

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1614 And Mayor, you mentioned sound and wise investing, and I support sound and wise
1615 redevelopment and development. And speaking to public perceptions, I would like to ask the
1616 City Council to consider the cost to our City if and when this City is perceived as being so pro-
1617 redevelopment or so pro-development it's at the expense of neighborhoods.

1618

1619 **MAYOR GOODMAN**

1620 Never.

1621

1622 **ELAINE WENGER-ROESENER**

1623 Okay. Thank you.

1624

1625 **MAYOR GOODMAN**

1626 Yes, Ma'am.

1627

1628 **EVA THOMAS**

1629 Hi. I'm Eva Thomas, 652 Ravel Court. I also am in favor of the ordinance Bill 2018-24, and I
1630 have 90 signatures here of people that were not able to come today that also support the
1631 ordinance. So I'd like to give that to you. Thank you.

1632 And I would just like to make the comment that the environment and open space has to be
1633 protected from overdevelopment. And that's it.

1634

1635 **MAYOR GOODMAN**

1636 Thank you.

1637

1638 **EVA THOMAS**

1639 Thank you.

1640

1641 **MAYOR GOODMAN**

1642 Thank you. Thank you. Yes Ma'am.

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1643 **PAULA QUAGLIANA**

1644 I'm Paula Quagliana, 9621 Orient Express. I am for Mr. Seroka's ordinance. But today I have
1645 become very concerned in listening to certain words that I hear from different people on the
1646 Council.

1647 For instance, upfront cost for developers. This is what we're going to focus on, upfront cost for
1648 developers. May I remind you about the upfront losses of the homeowners? Do you have any
1649 idea what the last three years of going into a development where it's a fire sale for every home?
1650 Do you have any idea what real estate agents tell people who need to move out because of health
1651 reasons? They tell them I can't help you because nobody knows what's going to happen in here.
1652 With his ordinance, as one other homeowner said, that issue should go away. We should know as
1653 residents, people who are workers, we work, my husband and myself, as hard as these people to
1654 get the home that we're in. I'm not against them. I'm for them. Everyone is entitled to work.
1655 Everyone would want that.

1656 But let me assure you of one thing. This is a democracy as Mayor Goodman said. A democracy,
1657 as far as I can see, is justice for all, not for some, but for all. That means that when you work
1658 hard and you buy your home, and if there's one thing I've learned in this town, because this is my
1659 second house that's ruined, it's never in your backyard that you want something to go wrong. So
1660 think of this.

1661

1662 **MAYOR GOODMAN**

1663 Excuse me. You're addressing us.

1664

1665 **PAULA QUAGLIANA**

1666 When they come to you, when they come for you, you're not going to want that.

1667

1668 **MAYOR GOODMAN**

1669 (Addressing the audience) Please. Everyone, please, let's be respectful. But you are speaking
1670 with us, please. I know your passion is strong, and we understand that. And we know 'cause
1671 we've been with you for four years on this. So it's just everybody. So thank you. Thank you.

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1672 **PAULA QUAGLIANA**

1673 (Inaudible), but I will tell you this.

1674

1675 **COUNCILMAN COFFIN**

1676 Wait, the mic is not on.

1677

1678 **PAULA QUAGLIANA**

1679 It's always never in my backyard.

1680

1681 **LUANN HOLMES**

1682 Your mic is off.

1683

1684 **MAYOR GOODMAN**

1685 Thank you. Yes, you're next. Yes, please. Please, please, please everybody. Yes, Ma'am.

1686

1687 **BETH LAINE**

1688 My name is Beth Laine. I reside at 7630 Brent Lane. We are adjacent to the Silverstone Golf
1689 Course.

1690

1691 **MAYOR GOODMAN**

1692 You wanna pull the microphone closer to your mouth, if you would, please. Thank you.

1693

1694 **BETH LAINE**

1695 Oh. We're adjacent to the Silverstone Golf Course. The expansive view across the golf course
1696 was a factor in our decision to purchase the two-and-a-half-acre property where we reside, and I
1697 suspect it was a factor for many of the decisions that were made by property owners in
1698 Silverstone. We are here because we've chosen to be where we can see the mountains,
1699 unhindered view of the stars at night and pursue an active lifestyle that the acreage affords. For

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1700 the City to allow the sale of the golf course without agreement of the property owners is a
1701 travesty.

1702 I'd like to point out that the City and County have spent large sums to construct and plan flood
1703 protection, for the area of northwest Las Vegas, including two large retention basins that are
1704 nearly adjacent to Silverstone. They also constructed an overflow underground culvert, which
1705 empties directly into the Silverstone Golf Course. Building homes or apartments in that basin is
1706 asking for flood damage.

1707 Las Vegas actively recruits new industry and employees to this Valley. Desirable homes with
1708 parks and green space are always an issue for recruiting. Let us not destroy what we have here,
1709 but remember John Locke's insight that life and liberty are secure only as long as property is
1710 secure. Thank you.

1711

1712 **MAYOR GOODMAN**

1713 Thank you very much. Thank you. Yes, Ma'am.

1714

1715 **ALICE COBB**

1716 My name is Alice Cobb. Can you hear me?

1717

1718 **MAYOR GOODMAN**

1719 Yes. Thank you.

1720

1721 **ALICE COBB**

1722 I serve on the board at Queensridge, One Queensridge Place, but I'm here as an individual, an
1723 individual who has been coming here for four years on the same subject, and I think that should
1724 broadly inform all of us that we need to come to some conclusions on this subject.

1725 Somewhere around the second year, the thought was tabled here that we needed to develop a
1726 global plan, one that addressed the issues more broadly for more neighborhoods and for more
1727 developers than just the Badlands. Four years is too long. We are not spending, or we are
1728 spending too much money, and we're not getting any smarter than we are today.

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1729 I agree that it took a while to kind of vet through a lot of these things, and, in fact, the Council is
1730 now 50 percent changed than when this conversation first started. So, I would recommend
1731 strongly that we had the courage of our convictions and start somewhere. Let's support the tabled
1732 ordinance and move forward. Thank you.

1733

1734 **MAYOR GOODMAN**

1735 Thank you, Ma'am. (Addressing the audience) Let's be kind, please

1736

1737 **JERRY ENGEL**

1738 Hello. Can you hear me okay?

1739

1740 **MAYOR GOODMAN**

1741 Hi. Yes, you're fine.

1742

1743 **JERRY ENGEL**

1744 Okay. My name is Jerry Engel. I live at 700 Pont Chartrain in Queensridge, and I took a break
1745 earlier. I hadn't planned to talk today. But I took a break earlier, and I spoke to a gentleman who
1746 is in a bright yellow shirt; we see lots of them in the audience. And, the shirts says, Collateral
1747 Damage, Las Vegas residents support jobs. And I said, what are you doing here? He says, we're
1748 here to fight for jobs. I said, so what's that got to do with this ordinance? He says, we're told the
1749 people who have these on the golf course are against building. And that couldn't be further from
1750 the truth. I mean, just think, if we had this ordinance in place, she said four years ago, there
1751 would have been thousands of people working on that course now, because we are not fighting
1752 the development on the course. We are fighting what was approved years ago.

1753 And, just to give you an idea, I have a beautiful view, and I was given a rendering that was
1754 rolling hills, green belts, and I said, it's beautiful, and the developer has a good reputation. And
1755 then I found out later then, a 70-foot corridor, a 70-acre corridor, there was a development
1756 proposed of 3,000 condominiums and 70 feet, and it was gonna come within 100 feet of my
1757 home. And it would have been 50 stories, 50-feet high.

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1758 Now, had this ordinance been in place, these people would be working today instead of saying
1759 we're against it. We're not against development. And so, what I appeal to you is, this ordinance
1760 is, puts all of these things to bed. I'm not worried about the developers; believe me, they'll come
1761 up with the upfront money.

1762

1763 **MAYOR GOODMAN**

1764 Thank you.

1765

1766 **JERRY ENGEL**

1767 When you have 258 acres, you're not gonna not spend the money to do it right.

1768

1769 **MAYOR GOODMAN**

1770 Thank you.

1771

1772 **JERRY ENGEL**

1773 But the word "compatible" is what's in this ordinance. There's nothing compatible about my
1774 beautiful view looking at a 50-foot-high residential, four-story building.

1775

1776 **MAYOR GOODMAN**

1777 Thank you. Thank you.

1778

1779 **JERRY ENGEL**

1780 Thank you.

1781

1782 **MAYOR GOODMAN**

1783 Thank you, Mr. Engel. Yes. (Addressing the audience) Please, please everybody, please. Yes.

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1784 **DALE ROESENER**

1785 My name is Dale Roesener, 981 Orient Express, Las Vegas, Nevada. I just wanted to encourage
1786 all the Councilmember (sic) and women and the Mayor to vote in favor of this ordinance today.
1787 I know there's been focus group meetings. There's been a lot of procedures and processes that
1788 have gone through and versions and new versions of this ordinance. My wife actually attended
1789 some focus meetings, and I think the process –

1790

1791 **MAYOR GOODMAN**

1792 Many. Your wife, you married very well.

1793

1794 **DALE ROESENER**

1795 Thank you.

1796

1797 **MAYOR GOODMAN**

1798 She attended many.

1799

1800 **DALE ROESENER**

1801 But I think, yeah, but I think, the process has – been, has come a long way. You know, best
1802 practices, from what I've heard, have been incorporated into this ordinance from a – lot of prior
1803 learning, and you, we have to start somewhere, and I think today is the time. And this ordinance,
1804 we've been through a lot as – one neighborhood, but hopefully it will help, you know,
1805 neighborhoods in Councilman Crear's neighbor, in his ward, and Fiore's ward. When you, when
1806 people have an expectation of what was required, and the residents have an expectation of what
1807 they will receive, and it's documented, it's most likely to happen, and I think you'll have a good
1808 outcome. So, please vote in favor of this today so that we can move our lives forward. Thank
1809 you.

1810

1811 **LARRY SADOFF**

1812 Good afternoon.

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1813 **MAYOR GOODMAN**

1814 Okay, you're going. Are we there?

1815

1816 **LARRY SADOFF**

1817 My name's Larry Sadoff, and I live at One Queensridge Place. And obviously there, I have a

1818 vested interest, but I would say to you –

1819

1820 **MAYOR GOODMAN**

1821 Wait, wait, wait. Where do you live?

1822

1823 **LARRY SADOFF**

1824 One Queensridge Place, the Towers.

1825

1826 **MAYOR GOODMAN**

1827 Okay, thank you.

1828

1829 **LARRY SADOFF**

1830 And obviously, I have a vest (sic) interest. But I would say to you, as I listened to the people

1831 speak, and I thought about this a lot, one word pops out to me over and over again, fair. Fair.

1832 This ordinance is fair. And I would ask you, the City Council, to do what is fair. I cannot have an

1833 undue influence because I'm a resident. The developer should not have an undue influence

1834 because he or she is development (sic). This makes a level playing field.

1835 I respect very much these men and women who came out in the yellow jerseys, and I respect

1836 their right to come out. But, as the other gentleman said, this is not anti-work. If it's done right,

1837 the jobs will be there.

1838 And the last point I'd like to make, as Elaine made earlier, about the process. I've lived in Vegas

1839 not much, as long as you folks, but five and a half years. Before that, I was in the U.S. military,

1840 and I was stationed overseas quite a bit, in Vietnam and Germany. I've lived in 12 different states

1841 in the United States, and I was in a leadership role in the Army Corps of Engineers, which we

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1842 had a lot of contentious hearings about wetlands and waters. And sometimes I sat up there,
1843 sometimes I a sat back here.
1844 Sometimes I've testified at the City Council, Planning Commission as a private citizen. But
1845 frankly, I've been involved in this for four years, and I've never seen such a contentious and
1846 drawn-out process. I remember sitting in a Planning Commission meeting, which Councilman
1847 Crear was on Planning Commission, lasting to almost 2:00 o'clock in the morning.
1848 So, I'd say, I think, you have enough information to make the right decision, and I would ask you
1849 to consider it, do what's fair, and make the right decision. Thank you very much.

1850

1851 **MAYOR GOODMAN**

1852 Thank you for your service. Yes, Sir.

1853

1854 **BARTH WHITE**

1855 Mayor Goodman and City Council, you guys are all elected to protect the people and to put –

1856

1857 **MAYOR GOODMAN**

1858 Your name, please, Sir, and where you live.

1859

1860 **BARTH WHITE**

1861 Oh, I'm sorry. My name is Barth White. I live at 929 Collingtree, Queensridge.

1862

1863 **MAYOR GOODMAN**

1864 Thank you.

1865

1866 **BARTH WHITE**

1867 All of you are here to protect the people and the people's rights, and before you make a decision
1868 or voice an opinion, I think you should hear all the pros and cons of anything that's gonna affect
1869 the people. Mrs. Goodman, you've already made an opinion to go with construction, which I

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1870 think is incorrect. You should hear all the pros and cons, because it is going to affect people and
1871 the way of their lives and their investments.
1872 Now the little dog and pony show behind me are a bunch of people that are coming in and
1873 getting a job for a year, and then they're gonna go. We have to put up with everything that is left
1874 behind.

1875

1876 **MAYOR GOODMAN**

1877 (Addressing the audience) Be kind. Be kind, people.

1878

1879 **BARTH WHITE**

1880 So we appreciate if you'd put a little concern and hold your opinion back until you know all the
1881 facts.

1882

1883 **MAYOR GOODMAN**

1884 We've been doing this for four years. And asking, (Addressing the audience) please, everyone.

1885

1886 **BARTH WHITE**

1887 I'm sorry. I can't hear her.

1888

1889 **MAYOR GOODMAN**

1890 We've been doing this for four years on Council. Granted, we have new Councilpersons. The
1891 reality is from day one we asked for the private parties, both sides, to get together and work to a
1892 common resolution. What has resulted is all the lawsuits are taking us to the Supreme Court of
1893 the State of Nevada.

1894 What I was trying to say is this is a very definitive brush. I wanna make sure it works for the
1895 whole of the City. Most of the people are here because of Queensridge and, or the Badlands and
1896 because of Silverstone. So we are very concerned. We want residents to have the – enjoyment of
1897 what they buy. But this is a much bigger ordinance, and that's all I'm saying. It's in favor of
1898 nothing and no one except equity and making sure we have gone very thoroughly through it,

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1899 which we have not yet done, in my opinion. I'm one person. So, thank you. We appreciate that
1900 you care.

1901

1902 **BARTH WHITE**

1903 Thank you.

1904

1905 **MAYOR GOODMAN**

1906 Are you next? Or who's next? And where you live, please.

1907

1908 **HOWARD PERLMAN**

1909 Howard, excuse me, Howard Perlman. I'm an architect. My office is at 450 Fremont Street, and I
1910 live, happen to live in Green Valley.

1911

1912 **MAYOR GOODMAN**

1913 You live in Green Valley and you're coming here to City Council?

1914

1915 **HOWARD PERLMAN**

1916 I'm sorry. yeah.

1917

1918 **MAYOR GOODMAN**

1919 Okay.

1920

1921 **HOWARD PERLMAN**

1922 Well, because the ordinance is important to me. We do a lot of work for a lot of developers all
1923 over the country, but most of our work is right here in Las Vegas. And just in reading some of
1924 the – articles in that new ordinance, some of them are just so onerous on the developer. And I
1925 know there's a perception that all developers are rich and they've got a lot of money, and it's only
1926 money, money, money and they've got all the money to spend.

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1927 But to ask somebody that's gonna come in and do even just a smaller project and just the
1928 standard, all the studies and drainage studies and all of these other things that are required just to
1929 do a normal zoning case are quite expensive for some of the smaller projects. And to also throw
1930 in 3-D modeling and things like that, I do think that it's going to affect development, along with
1931 some of the penalties that are in this ordinance, \$1,000-a-day penalties, imprisonment penalties.
1932 We're trying to, we have a city that's growing; we want it to keep growing.
1933 But I do want to read one little petition to you; it'll take me just 10 seconds. And I think you'll
1934 find it very interesting. We writers, painters, sculptors, architects and passionate devotees of the
1935 hitherto untouched beauty of Paris protest with all our strength, with all our indignation, in the
1936 name of slighted French taste against the erection of this useless and monstrous Eiffel Tower.
1937
1938 **MAYOR GOODMAN**
1939 Beautiful. Thank you.
1940
1941 **HOWARD PERLMAN**
1942 So, the point is – that emotions are so high.
1943
1944 **MAYOR GOODMAN**
1945 Yes. Thank you.
1946
1947 **HOWARD PERLMAN**
1948 Emotions are so high, but you guys are the elected officials, and it's, we depend – on you to
1949 make the right decisions for everybody. Thank you so much.
1950
1951 **MAYOR GOODMAN**
1952 Thank you for coming into the heart of the City. Thank you. You're next, then the lady.

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1953 **CRAIG NEWMAN**

1954 Yes. Hello. I'm Craig Newman, and I'm here on behalf of Vegas Venture Funding LLC, who's
1955 the lender on this property, and I've been here before.

1956

1957 **MAYOR GOODMAN**

1958 The lender on which property?

1959

1960 **CRAIG NEWMAN**

1961 The lender on the property that is formerly the Badlands Golf Course.

1962

1963 **MAYOR GOODMAN**

1964 Oh.

1965

1966 **CRAIG NEWMAN**

1967 We provided a loan to them. I provided a letter to each of your Councilmen, Councilmembers
1968 and the Mayor, expressing my client's position, and so I'm not going to repeat it here.

1969

1970 **MAYOR GOODMAN**

1971 Right.

1972

1973 **CRAIG NEWMAN**

1974 But I am going to make some comments for those of you which may be undecided here today.

1975 First of all, Mayor, I'm going to answer your question. Is there, is the perception of developers
1976 and investors that this ordinance is anti-development? Clearly, yes. That is the perception of it.

1977 And, you know, whether that's reality or not, I guess we'll find out. But, the perception is
1978 definitely yes.

1979 You know, as far as, those of you that are undecided, I wanted to point a couple of things out.

1980 Clearly this ordinance has not necessarily been originated, but it's been supported primarily by
1981 the residents of Queensridge. No question. And this ordinance also is written in the face of the

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1982 fact that everyone who purchased their house at Queensridge was aware of the zoning or should
1983 have been aware of the zoning if they had done their homework.

1984

1985 **MAYOR GOODMAN**

1986 (Addressing the audience) Please, let's be respectful. Please, please everyone, please give him a
1987 chance. He has his time.

1988

1989 **CRAIG NEWMAN**

1990 As far as how the property where the Badlands Golf Course was zoned, it was zoned residential.
1991 Still is. And in fact, my client, when my client loaned the money on this property, received a
1992 zoning verification letter from the City, clearly stating what the zoning was, would not have
1993 made the loan without it. And certainly, to the extent that this ordinance is passed and the closure
1994 provisions are enforced against my client, will be involved in litigation.

1995 The Mayor has, you know, has pointed out that there's already existing litigation, three cases in
1996 front of the Supreme Court. I understand there's nine – pieces of litigation, none of which my
1997 client is a member of at this point. But, I can tell you that those are pending. There's going to be
1998 some resolution on those, and it may result in some guidance for all of these issues. And it
1999 certainly would not make sense for you to intervene and give further ammunition to the
2000 homeowners in their litigation, which is what they want you to do.

2001

2002 **MAYOR GOODMAN**

2003 Well, I do think, and in response to what you said, it is, we will have to abide by what the
2004 Supreme Court says on either side. So, I appreciate it. Yes, I do recall your letter, so thank you
2005 for coming down. We'll move on.

2006

2007 **CRAIG NEWMAN**

2008 Yes. And –, one last comment only, Your Honor, and it's that you are not just a zoning board;
2009 you are also here to represent the citizens of Las Vegas and the residents of Las Vegas in its
2010 entirety.

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2011 **MAYOR GOODMAN**

2012 That's first.

2013

2014 **CRAIG NEWMAN**

2015 Yeah, absolutely. And a lot of them are sitting behind us right now. They wanna go to work.

2016 They don't live in Queensridge, but they want to build houses. They want to build houses in

2017 Queensridge.

2018

2019 **MAYOR GOODMAN**

2020 Thank you. Yes, Ma'am, your name and where you live.

2021

2022 **KIMBERLY TOBERGTE**

2023 Hi. Kimberly Tobergte, 7205 Cypress Run Drive. I, first of all, would like to thank you –

2024

2025 **MAYOR GOODMAN**

2026 Sorry. I missed that. I didn't hear where you live.

2027

2028 **KIMBERLY TOBERGTE**

2029 Sorry, 7205 Cypress Run Drive in Silverstone Ranch golfing community.

2030

2031 **MAYOR GOODMAN**

2032 Okay.

2033

2034 **KIMBERLY TOBERGTE**

2035 And I want to, first of all, thank Councilman Seroka for bringing this ordinance to play, and I'm

2036 glad we're kind of looking at all different angles of it now, but I'm not going to argue any point

2037 whatsoever. I'm just solely tasked to be up here reading names, and I would rather be anywhere

2038 else in this world than standing here right now. But thank you for your service, but here I am. I'm

2039 just gonna really, really fast read these names. Okay, just in the past 24 hours –

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2040 **MAYOR GOODMAN**

2041 Just how many are there? You don't have to read their names if you'll give your list to our City
2042 Clerk, we'll make sure their name is a matter of record.

2043

2044 **KIMBERLY TOBERGTE**

2045 Yes. So it's William Pfluger, Tom and Lynne Ells, Robert and Vivian Gonzales, Mike and
2046 Caroline Mozdean, Brian and Louise Welz, Tom Stenson, Harry and Laurie Kelman, Al Chess,
2047 Diane Ditrick, Dave and Gail Smith, Dan and Jean Dufresne, Bob Thomas, Gene and Debbie
2048 Long, Robert and Herbene Donovan, Vince and Dale Gardner, Mandi Wilkins, Ron Koska,
2049 Harriet and Steve Hellerstein, Jon and Michelle Bradford, Arturo and Evelyn Lucio, Nancy
2050 Weiss, Ann Bersi and Bob Shelton, Carol and Richard Campbell, Pete Viger, Rick and Roxie
2051 Shields, Gail Van Luit, Bruce Rogers, Lesley Albers and William Turner.

2052

2053 **MAYOR GOODMAN**

2054 Ma'am, Ma'am, I asked you just to give it to the Clerk. You don't have to read it. Their name will
2055 be included in the record.

2056

2057 **KIMBERLY TOBERGTE**

2058 Okay. Thank you very much.

2059

2060 **COUNCILMAN COFFIN**

2061 Your Honor? Your Honor, you've got to control –

2062

2063 **KIMBERLY TOBERGTE**

2064 And I just urge that the City Council consider passing this ordinance today.

2065

2066 **MAYOR GOODMAN**

2067 Thank you very much.

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2068 **KIMBERLY TOBERGTE**

2069 Thank you.

2070

2071 **COUNCILMAN SEROKA**

2072 Mayor, as part of –

2073

2074 **MAYOR GOODMAN**

2075 Okay, sir is next.

2076

2077 **COUNCILMAN SEROKA**

2078 Mayor –

2079

2080 **COUNCILMAN COFFIN**

2081 We've got to control our crowd here.

2082

2083 **COUNCILMAN SEROKA**

2084 If I could, to ask our people in the audience to be respectful of the time. It is a very, it is very
2085 unnerving to stand up here, and when you have your time, they will be respectful of you. I ask
2086 that you do that as members of the audience, and if need be, Mayor, if this continues, maybe, as
2087 you've said in the past, we'll just have to escort some people out. It's very inappropriate and
2088 discourteous to this body.

2089

2090 **MAYOR GOODMAN**

2091 Okay. Let's go on. Sir, I think you were next, and then, Ma'am, and then –

2092 **LISA MAYO**

2093 Oh, he was such a gentleman in today's age and has allowed me to go first.

2094

2095 **MAYOR GOODMAN**

2096 Okay.

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2097 **LISA MAYO**

2098 My name is Lisa Mayo, and I'm here today with one of my roles in the community, which is
2099 working with developers. And, believe me, perception is reality. And people do perceive this
2100 ordinance as being overreaching. Developers that I'm working with, that I've shown it to, that
2101 have considered looking at the City are wary of this. It is overreaching.
2102 And, you know, I just would ask the question, maybe of Tom or somebody. I know that in the
2103 County, I'm doing a huge project right now, and we have to have a traffic study before we can
2104 even have a planning meeting, a pre-planning meeting. We have a traffic study; it has to be
2105 submitted. I don't know if the City does that. But, there's all the things and all these hoops that
2106 are added in this ordinance is already in our Planning Code and has already been there.
2107 But I wanted to send the message of this. You have two big areas in this community. I would
2108 look to Lois with the medical community. That is, right now, we have a \$57 million library issue.
2109 There's all that land that needs to be developed, and people are not gonna wanna come and
2110 participate in that in the future. You have a 2030 Plan, and they won't want to come here, I
2111 promise you that.
2112 The other message you're sending, I'm coming to a meeting here, on behalf of clients, November
2113 17th, to an opportunity zone meeting in this very chamber, for developers that I have interested in
2114 Ward 5, Ward 3, and anywhere you have opportunity land that's been identified through the
2115 economic, the Governor's office. What kind of a message when I come and sit and we're talking
2116 about bringing private investment here and I sit through an all-day meeting to learn this and you
2117 pass this ordinance and I go back to a private developer and says, oh, by the way, in Ward 5,
2118 where we have lots of open space land around there, you're gonna be subject to upfront CAD
2119 drawings. Who does that? A prison term. It's just overreaching, and it does, it does send a
2120 message. And I live in the City. I want the City to be great.

2121

2122 **MAYOR GOODMAN**

2123 Thank you.

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2124 **LISA MAYO**

2125 But right now the Clark County is kicking our butts.

2126

2127 **MAYOR GOODMAN**

2128 Thank you.

2129

2130 **LISA MAYO**

2131 They're developing all sorts of stuff. We need to get on the train. So, please, deny this ordinance.

2132 It's completely overreaching. Thank you.

2133

2134 **MAYOR GOODMAN**

2135 Thank you. (Addressing the audience) Please, everyone. Sir. Please, please, please. Yes, Sir.

2136

2137 **HERMAN AHLERS**

2138 Hi. I'm Herman Ahlers. I live at 9731 Orient Express Court, and I've been here before over the

2139 last few years.

2140

2141 **MAYOR GOODMAN**

2142 Yes, you have. You're a part of the family.

2143

2144 **HERMAN AHLERS**

2145 Can you hear this?

2146

2147 **MAYOR GOODMAN**

2148 Can you pull the mic up? Or, we can't ask him, no, if you pull it. There you go. Now lean in a

2149 little bit. There you go.

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2150 **HERMAN AHLERS**

2151 Okay. First of all, I want to thank Mr. Seroke, one of the Council who had brought forward the
2152 first piece of legislation that could help solve this issue, not just for Badlands, but for all of the
2153 big open space areas that are beautiful that are being attacked. Now, perception, against the
2154 developer? I think the perception of this ordinance is to tell the developer, if you want to come
2155 in, like they did at Badlands, we're gonna, we're, increase the density 400 percent, we're gonna
2156 build 3,000 condos, we're gonna do this, we can do, the perception is they could do anything they
2157 wanted to do without respecting the homeowners that have been there for 15 and 20 years.
2158 This perception of this ordinance is gonna give the developer pause, and they don't have to spend
2159 10 millions of dollars for three years to try to get un, totally a incompatible [sic] project
2160 approved. And within one vote, the Planning Commission approved them. They even approved
2161 septic tanks. The Council, thank God, by one vote, turned that down. Now we finally got an
2162 ordinance. We got some pretty smart Council people, and this is the right step in the right
2163 direction.

2164

2165 **MAYOR GOODMAN**

2166 Thank you. You have a nice smile. Hi.

2167

2168 **FRANK SCHRECK**

2169 Mayor, I guess this is on.

2170

2171 **MAYOR GOODMAN**

2172 Now where do you live?

2173

2174 **FRANK SCHRECK**

2175 Yeah, I think I've been here before on this matter.

2176

2177 **MAYOR GOODMAN**

2178 But you are and where do you live?

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2179 **FRANK SCHRECK**

2180 My name is Frank Schreck, and I live at 9824 Winter Palace Court in Queensridge. And I've
2181 been appearing here for almost three and a half years on the same matter. I have, I know there's a
2182 time limit, but I have a whole group of homeowners back there that aren't speaking and I'm
2183 speaking for them.

2184

2185 **MAYOR GOODMAN**

2186 Okay. They raised their hands.

2187

2188 **FRANK SCHRECK**

2189 Okay.

2190

2191 **MAYOR GOODMAN**

2192 Okay. We'll give you five minutes.

2193

2194 **FRANK SCHRECK**

2195 So – I may go a little bit longer 'cause I wanna do some little history, and I also wanna bring
2196 back some reality to this. I'm in support of the ordinance, obviously. But this ordinance doesn't
2197 paint Las Vegas with a large brush. This ordinance, as been said before, this ordinance only deals
2198 with open space that's been dedicated and approved by the City of Las Vegas for residents that
2199 live in master planned communities and other open space where people bought near it because
2200 they thought it brought value to their property.

2201 It doesn't deal with all the open, the vacant space in Ward 6, Ward 5, Ward 3 and Ward 1. It
2202 doesn't apply to them. It applies to the open space, and not just golf courses. It applies to all of
2203 the parks and all of the walking trails in Summerlin, which are acres and acres. It applies to the
2204 lake Las, in The Lakes. It applies to a lot of different properties, not just Queensridge and not
2205 just golf courses.

2206 But everybody that bought into the golf course bought into the golf course with an understanding
2207 in a master planned community that that, what you see is what you get, not 4,000, not – 3,000

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2208 condominiums, you know, built on 70 acres, and then construction for how many years. We don't
2209 know.

2210 But no community should be put through the emotional and financial trauma that Queensridge
2211 residents have been put through, to protect their master planned community. If this ordinance
2212 was in place, I'm gonna take issue with Mr. Perrigo, which I have done constantly for three and a
2213 half years and have been proven right in the courts. When he says that the approval of the
2214 development agreement somehow solves that problem, it doesn't. The approval of the
2215 development agreement approves all the entitlements before there are ever any of the traffics
2216 (sic), drainage, school issues resolved, just like we've been talking about before, by conditional
2217 approvals.

2218 Conditional approvals are fine if you have, you know, 200 or 300 acres out in the middle of
2219 nowhere. In this case, we're talking about developments that are right in the middle of a built,
2220 established community, and that's what open space given, and it's an open space that was granted
2221 by the City. And now you want to take it away with, giving developers the right to come in. As
2222 Mr., as Councilman Seroka's done it, if you're gonna do that, let's at least establish a procedure
2223 to do that.

2224 But I believe that if in this, if this ordinance had been in place, at the time the developer at
2225 Queensridge was look, at Badlands was looking at that golf course, if this development, if this
2226 ordinance was in place, my guess is he wouldn't have bought the property. He would not have
2227 bought the property, because, as he told you and as he told us in your meetings, it was a done
2228 deal when he bought the property. He already had the promises from you, Mayor, three
2229 Councilmen that no longer exist here. He told you right in, at this podium, that he had your
2230 promise that he could develop before he ever filed an application, before he ever met with
2231 Queensridge, before he ever did anything.

2232

2233 **MAYOR GOODMAN**

2234 And I have to, I have to interrupt you. And if you'll go back to that meeting, I said, I absolutely
2235 deny that, what you are saying, and I am sure we can go back to it. That was –

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2236 **FRANK SCHRECK**

2237 I didn't say, I didn't say you agreed. I said that's what he said.

2238

2239 **MAYOR GOODMAN**

2240 Well, that's what, right, but that's an inference for everybody that's listening. And, for those who

2241 are on, watching on TV, that inference is incorrect. I never did –

2242

2243 **FRANK SCHRECK**

2244 It's the same inference that Judge Crockett, that Judge Crockett drew in his decision.

2245

2246 **MAYOR GOODMAN**

2247 Okay, please. Well, go ahead with your thing, and now we're at the Supreme Court. So, please,

2248 and they will make the decision.

2249

2250 **FRANK SCHRECK**

2251 But I think that if that ordinance was in place –

2252

2253 **MAYOR GOODMAN**

2254 Please go ahead.

2255

2256 **FRANK SCHRECK**

2257 If that ordinance was in place, we wouldn't be here today. If a developer would have gone

2258 through the normal procedures that are set forth in this ordinance, I think that we could have

2259 probably reached some kind of a compromise for development on the golf course.

2260

2261 **MAYOR GOODMAN**

2262 And, as you say, that's your opinion, which is opposed to Tom Perrigo's opinion, former head of

2263 Planning.

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2264 **FRANK SCHRECK**

2265 Right, and my opinion was different than his with its, and the courts ruled in our favor each time,
2266 so.

2267 When I started appearing before this Council in September of 2015, it was because there was an
2268 ordinance, there was a, an amendment to the City's General Plan that was proposed, supposedly
2269 by staff, that no one knew about, and we accidentally found out about, that would have changed
2270 the, eliminated the residential density protection on every single master planned community in
2271 the City of Las Vegas that was over 40 acres. Fortunately, we found out about it. We became,
2272 came before the Planning Commission. The Planning Commission abeyed it, and how we knew
2273 the developer was involved in this is that eight days before this – staff amendment to the General
2274 Plan was to be heard by the Planning Commission, he filed an application, to change our golf
2275 course into a planned development.

2276 So, he was in, he was working hand-in-hand with your City staff, you know, to do this without
2277 anybody knowing about it. Fortunately, the Planning Commission had the wisdom to abey it.
2278 During that abeyance, the developer withdrew that application, and then the staff tabled that
2279 amendment, and we've never seen it again in three years. So, obviously, it wasn't something that
2280 was really important, except to the developer.

2281 We began this process, understanding and knowing that our master planned community, the
2282 Peccole Ranch Master Development Plan was approved by this City Council in 1990, and there
2283 was specifically no residential allowed on the golf course. In 1992, this City adopted by
2284 ordinance an update of its General Plan. It designated not only Badlands, but the open space
2285 throughout Summerlin, the open space at – Canyon Gate, at Painted Desert, at Silverton, all of
2286 those master planned communities as Park/Recreation/Open Space, PROS, by ordinance with no
2287 residential density allowed. So those are two things we learned.

2288 When the developer filed his first set of applications, and his second set of applications, your
2289 City Planning Department in their staff reports, with respect to the first three applications on 19,
2290 17.9 acres, and then four more applications with respect to 250 acres, your staff, in both of their
2291 reports dealing with those, stated very clearly there was no residential on the golf course, which
2292 was consistent with our General Plan, your General Plan and our Master Plan.

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2293 Finally, in March of 2018, the Queensridge residents obtained a judgment from Judge Crockett,
2294 which confirmed and validated all of our positions with respect to our rights on the golf course
2295 and the developer's lack of rights to develop anything on the golf course without getting a major
2296 modification. Judge Crockett's decision –

2297

2298 **COUNCILMAN COFFIN**

2299 Your Honor, I'm sorry. I'm sorry, Frank. Your Honor, please re-establish order. These guys out
2300 here are making a lot of noise, and I understand what they're here for. But, Tommy, would you
2301 please slow them down a little bit. We get the message. Please.

2302

2303 **TOMMY WHITE**

2304 Would you like me to answer that?

2305

2306 **UNIDENTIFIED MALE SPEAKER**

2307 Vote. Come on.

2308

2309 **MAYOR GOODMAN**

2310 Okay. No, no, no. It's all right. It's okay. Just could we let Mr. Schreck finish up, 'cause he's
2311 speaking to the ordinance. We have the history. We've all heard it so many times. Please get to
2312 your position on the ordinance. Please.

2313

2314 **FRANK SCHRECK**

2315 Okay, this is pretty recent. In October of this year, Judge Jerry Williams basically affirmed and
2316 confirmed Judge Crockett's decision. That's the most recent one. And Judge Crockett (sic)
2317 decision says something really simple, and that is that the developer has no existing rights and
2318 never had any existing rights to develop residential units on the Badlands Golf Course –

2319

2320 **MAYOR GOODMAN**

2321 But this has all gone to the Supreme Court. Can you get to the point of this?

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2322 **FRANK SCHRECK**

2323 No, no. Wait a second. It was a decision by Judge Crockett that this City didn't appeal, so it binds
2324 you now. Okay?

2325

2326 **COUNCILWOMAN FIORE**

2327 Mayor, are we on eight minutes with this guy?

2328

2329 **MAYOR GOODMAN**

2330 No, no, no. I have plenty of, I have hands back there. He's fine.

2331

2332 **FRANK SCHRECK**

2333 So judge Crockett –

2334

2335 **MAYOR GOODMAN**

2336 No. You're –

2337

2338 **FRANK SCHRECK**

2339 Here's, here's the irony of that. The Queensridge residents, through their persistence and through
2340 a lot of money that we've spent, actually got judicial decisions to protect the City from inverse
2341 condemnation, because these decisions say that the developer has no rights to develop on the golf
2342 course; therefore, there are no rights for you to take away from him. So his inverse condemnation
2343 claims are not valid.

2344 And as Judge Crockett said, he bought a pig in a poke. And, as the attorney that was up here
2345 discussing, you know, the lender on this, well, if he would have done his due diligence, because
2346 we did, and Crockett confirmed it, is that he has then loaned and is secured by a pig in a poke.
2347 Now, what has happened at Queensridge in the last three years? Aside from all the money, time
2348 and emotion that we've put forth to protect our master planned community, the Queensridge
2349 residents have had to endure the closing of the golf course, a depreciation of our property values
2350 in excess of \$200 million for the developer's \$7.5 million investment, the inability to sell our

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2351 residences at greatly reduced prices. And if closing the golf course wasn't enough for this
2352 developer, I'd like to have the over, this on the, your overview.

2353

2354 **COUNCILWOMAN TARKANIAN**

2355 Can you make it bigger? Can you zoom in? What do you want us to see?

2356

2357 **MAYOR GOODMAN**

2358 It's the golf course with a no dumping sign. It's (inaudible)

2359

2360 **FRANK SCHRECK**

2361 Can you see it? Can the public see it?

2362

2363 **MAYOR GOODMAN**

2364 Yeah. Yep.

2365

2366 **COUNCILWOMAN TARKANIAN**

2367 Yeah. Thank you.

2368

2369 **FRANK SCHRECK**

2370 Okay, I see it now. This is – the sign entering from the south side where I enter. It's right as I
2371 come into my community, and then there's three more signs about 70 yards apart going down
2372 that way and also on the other side. And the same is true when you come in on the north
2373 entrance, you know, from Alta into our community.

2374 Now if that wasn't bad enough and the golf course didn't look like it was a deserted area, the
2375 developer then saw fit to cut down all the trees that blocked the view as you were driving up our
2376 way so you could have a perfect view of the desolated area that he's created from this golf
2377 course, that we have to look at it every day. And if you don't think that is a discouragement to
2378 residents, a discouragement to guests, and a discouragement to potential buyers within our
2379 community, then you're absolutely wrong.

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2380 So I'll just end by saying that there is no way in the world that any community in the City of Las
2381 Vegas should be put to such stress, such economic deprivation and such emotional trial as
2382 Queensridge residents have been put through for the last three and a half years based upon a
2383 decision that came out of your staff that was not upheld in court. And if, in fact, these, this
2384 process was in place, that's established through this ordinance, I personally don't think I'd be
2385 standing here today talking to you about these issues, and I don't think that there would be
2386 money spent by the City, by the way, hiring outside lawyers to defend your, against the
2387 developer's lawsuits, not our lawsuits. Every one of those that you're spending a million dollars
2388 on, that Councilwoman Fiore likes to talk about, those are all spent defending outside lawsuits
2389 filed by outside attorneys, filed by the developer against the City and individual members of the
2390 Council. Thank you.

2391

2392 **MAYOR GOODMAN**

2393 Thank you.

2394

2395 **COUNCILWOMAN TARKANIAN**

2396 Madam Mayor, through you, could I ask one question?

2397

2398 **MAYOR GOODMAN**

2399 Yes, please.

2400

2401 **COUNCILWOMAN TARKANIAN**

2402 Frank, Mr. Schreck, could I ask one question, please? I was told that the developer offered to
2403 lease for one dollar a year the golf course to the residents around it; is that true?

2404

2405 **FRANK SCHRECK**

2406 No, that's untrue. In fact, the only thing that I know, in a meeting between Jack Binion and
2407 Councilman Coffin, and I think it was Jay Brown, when I think Councilman Coffin said to Jack
2408 Binion, you know, why don't you guys buy this golf course or work out something to it, Jay said,

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2409 yeah, it'll be, and we're just talking about the 180 acres of the old two golf courses, not the 70
2410 acres where they wanted the high density, he said, yeah, we'll sell it for a million dollars an acre.

2411

2412 **COUNCILWOMAN TARKANIAN**

2413 Okay. So, because my understanding, I mean, I was told that they would lease it for a dollar, and
2414 that the group that is the people, who the residents said, no, they wanted to buy it. They wouldn't
2415 lease it, or something like that.

2416

2417 **FRANK SCHRECK**

2418 No that's never, I've never heard of that offer. Never –

2419

2420 **COUNCILWOMAN TARKANIAN**

2421 Okay. I –

2422

2423 **FRANK SCHRECK**

2424 And if they came to ask us if we would lease it for a dollar –

2425

2426 **COUNCILWOMAN TARKANIAN**

2427 Would you have done that if it had been, do you think the people that you're representing would
2428 have leased it for one dollar?

2429

2430 **FRANK SCHRECK**

2431 Well, I'm here as a homeowner.

2432

2433 **COUNCILWOMAN TARKANIAN**

2434 Yes.

2435

2436 **FRANK SCHRECK**

2437 I've been doing this for, free for my community.

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2438 **COUNCILWOMAN TARKANIAN**

2439 Yes, we know.

2440

2441 **FRANK SCHRECK**

2442 So, I'm not, I'm representing only in a general sense.

2443

2444 **COUNCILWOMAN TARKANIAN**

2445 Right.

2446

2447 **COUNCILWOMAN FIORE**

2448 Would you lease it for a dollar? Would you lease it for a dollar, Mr. Schreck?

2449

2450 **COUNCILMAN SEROKA**

2451 Mayor, this isn't about Badlands. This is about the open space ordinance.

2452

2453 **COUNCILWOMAN FIORE**

2454 So answer the Mayor Pro Tem's question.

2455

2456 **COUNCILMAN SEROKA**

2457 So this is a, we're a little bit off track here.

2458

2459 **COUNCILWOMAN TARKANIAN**

2460 We're making it all about Badlands.

2461

2462 **FRANK SCHRECK**

2463 Would we lease it for a dollar? I don't know.

2464

2465 **COUNCILWOMAN FIORE**

2466 Right.

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2467 **COUNCILWOMAN TARKANIAN**

2468 I just, I'd like to –

2469

2470 **FRANK SCHRECK**

2471 No. I mean, I'd like to think about it, because you've got property tax –

2472

2473 **MAYOR GOODMAN**

2474 Let's stay, let's stay on track.

2475

2476 **FRANK SCHRECK**

2477 You've got property taxes. What use can you do? He's destroyed the golf course.

2478

2479 **VICKIE DEHART**

2480 That's exactly what he said then.

2481

2482 **FRANK SCHRECK**

2483 The golf course is decimated, destroyed.

2484

2485 **MAYOR GOODMAN**

2486 Okay. Okay. Thank you.

2487

2488 **FRANK SCHRECK**

2489 So what do you get if you lease it for a dollar?

2490

2491 **VICKIE DEHART**

2492 You destroyed it, Frank.

2493

2494 **MAYOR GOODMAN**

2495 Thank you. Let's please. All right, I saw Mr. Gronauer here. Please.

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2496 **VICKIE DEHART**

2497 Can I just address what he just said? You don't need to ask him or me.

2498

2499 **MAYOR GOODMAN**

2500 Give me one second, please. Mr. Gronauer, is it all right?

2501

2502 **BOB GRONAUER**

2503 Yes, yes.

2504

2505 **MAYOR GOODMAN**

2506 And your name, please, and where do you live?

2507

2508 **VICKIE DEHART**

2509 But I only want to address what –

2510

2511 **MAYOR GOODMAN**

2512 Your name please and where you live.

2513

2514 **VICKIE DEHART**

2515 Vickie Dehart at 9103 Alta Drive. You don't need to believe him or believe me about that

2516 conversation. Ask Brad Jerbic.

2517

2518 **MAYOR GOODMAN**

2519 Thank you.

2520

2521 **COUNCILWOMAN TARKANIAN**

2522 Okay. Where is Brad? All right.

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2523 **VAL STEED**

2524 You don't – need that answer to act on this ordinance. I encourage you to move on.

2525

2526 **COUNCILWOMAN TARKANIAN**

2527 I know. I know, but I would like, I was interested. Thank you so much. I have to ask Brad
2528 personally.

2529

2530 **MAYOR GOODMAN**

2531 Thank you.

2532

2533 **COUNCILWOMAN FIORE**

2534 You know what? Can we get Brad down here?

2535

2536 **MAYOR GOODMAN**

2537 Can we, no, well, I don't know, but let's go ahead and let's go through the public comment time,
2538 please.

2539

2540 **BOB GRONAUER**

2541 Yes. Thank you. Good afternoon, Your – Honor and members of the Council. My name's Bob
2542 Gronauer. I'm here representing a couple of master planned communities: Skye Canyon, which is
2543 being developed, Gary Goett and the Olympia Group that you know, also Lennar Homes, who is
2544 building the east side of Skye Canyon, and our firm also represents Summerlin. I am here
2545 watching this ordinance on behalf of my clients, and we've worked with your staff over the last
2546 several months on this.

2547 The only reason why I'm here is because I was listening to Mr. Schreck in his statements, and I
2548 believe, respectfully, he might have misspoke or made a misstatement that I need to make sure
2549 we clarify on the record for everybody in this room to understand. The ordinance that's before
2550 you today exempts out master planned communities. For the, for – example, Summerlin and
2551 Skye Canyon, the clients that we represent, are exempted from this ordinance and do not have to

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2552 comply with this ordinance, because they're master planned communities under development
2553 agreements. I need to make that clear for everybody here, because Mr. Schreck has stated
2554 something different, and I want to make sure I could walk away and just still watch this
2555 ordinance, as it goes through, with that understanding.

2556

2557 **MAYOR GOODMAN**

2558 Okay. Thank you very much. Okay, next, please. Do you want to have an answer to that?

2559

2560 **BOB GRONAUER**

2561 Yes, please.

2562

2563 **MAYOR GOODMAN**

2564 Mr. Steed, the question from Mr. Gronauer for you. You want to repeat the question? I don't
2565 wanna (inaudible)

2566

2567 **BOB GRONAUER**

2568 Yeah. I just want to clarify in the ordinance, oh, sorry.

2569

2570 **VAL STEED**

2571 Yes, there is an exemption for, it doesn't say master planned communities. It says communities
2572 under a development agreement. So any – community that is subject to a development agreement
2573 that has been approved under the section that's recited in the ordinance is exempt from it.

2574

2575 **MAYOR GOODMAN**

2576 Okay. And therefore –

2577

2578 **BOB GRONAUER**

2579 That's what I wanted for – confirmation.

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2580 **MAYOR GOODMAN**

2581 And, therefore, Councilwoman Fiore wanted to ask?

2582

2583 **COUNCILWOMAN FIORE**

2584 Thank you. I just have to clarify. As you said before, like a doctor making medicine, so this

2585 ordinance, because of the exemptions of our other developers in the City of Las Vegas, this

2586 ordinance is basically, please clarify, for the Badlands, for Yohan Lowie? This literally is written

2587 the Yohan Lowie ordinance; is that correct?

2588

2589 **VAL STEED**

2590 You know it's not.

2591

2592 **COUNCILWOMAN FIORE**

2593 Well, good. Can I have Scott come down and, or Brad Jerbic, because this ordinance only applies

2594 to the Badlands.

2595

2596 **VAL STEED**

2597 You can either believe me or not.

2598

2599 **COUNCILWOMAN FIORE**

2600 I don't believe you. I would like to have Brad Jerbic or Scott here.

2601

2602 **COUNCILMAN COFFIN**

2603 Your Honor? Your Honor, please, don't let our employees get all beat up by people who have a

2604 real purpose.

2605

2606 **MAYOR GOODMAN**

2607 Please.

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2608 **COUNCILMAN COFFIN**

2609 You're going to let our people –

2610

2611 **COUNCILWOMAN FIORE**

2612 You know what? Mr., Mr., listen I'm about to read your email to the public. You better calm
2613 down.

2614

2615 **COUNCILMAN COFFIN**

2616 Well, go ahead. It's –

2617

2618 **MAYOR GOODMAN**

2619 Okay. Let's, let's –

2620

2621 **COUNCILMAN COFFIN**

2622 I say let's hear them.

2623

2624 **MAYOR GOODMAN**

2625 Let, let's move on. So sorry. Thank you.

2626

2627 **FRANK PANKRATZ**

2628 Thank you, Mayor and Councilmen. My name is Frank Pankratz, 9103 Alta Drive.

2629

2630 **MAYOR GOODMAN**

2631 Wait, wait, wait. I couldn't hear. I'm so sorry. Would you do it again?

2632

2633 **FRANK PANKRATZ**

2634 Sure. My name is Frank Pankratz, 9103 Alta Drive. I've been in the development business for 40
2635 plus years, not only locally but throughout the country. I headed up parts or all of Del Webb's

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2636 operations and Pulte Homes' operations across the country, and I'm here to answer the Mayor's
2637 question and – make a few other comments.
2638 This ordinance most certainly would put a hinder and – discourage and prevent developers taking
2639 more risks than they already do. Development is a huge, very, very, very risky business. It's risky
2640 for developers. It's risky for investors. It's risky for lenders. It's risky for title companies. And we
2641 don't need any more of this layering on of bureautic (sic) processes.
2642 This ordinance is totally about the land on which the Badlands is on. We received, from the City,
2643 the list of the properties that it would affect, and we heard at earlier meetings that the City staff
2644 hadn't had time to really plot out and – lay out what these parcels all are. We did, and as you go
2645 through the properties that are listed on the list, that we got from the City, are either owned by
2646 the City, so you all and your successors down the road have the control of those properties
2647 because they're either controlled by the cities, or they're already in the jurisdiction of –
2648 homeowners associations.
2649 And so, I'd like to, this has been submitted previously, and I'd like to resubmit this.
2650

2651 **MAYOR GOODMAN**
2652 Okay. Stacey will take it –
2653

2654 **FRANK PANKRATZ**
2655 And at the bottom line, if you take away the properties that are owned by the City, that are
2656 controlled by HOAs, the bottom line, there's one parcel in here that's affected by this.
2657 I hear repeatedly, Mr. Schreck and the opposition coming before you, talking about the big
2658 conspiracy that we had early on with the – City and the City staff. We had neighborhood
2659 meetings, and we planned more neighborhood meetings. Just the way we do things in the
2660 development business. And who filed the lawsuit first within a month of us beginning the
2661 process, Mr. Schreck and his opposition, and they represented, to the homeowners, that not one
2662 home could be built on this property. And yet, at the same time, the City, before we bought the
2663 property, provided us letters stating that the property was owned RPD-7, 7.49 dwelling units per
2664 acre.

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2665 So, we – stand before you, or sit in the audience as we hear repeatedly, meeting after meeting,
2666 Planning Commission and City Council, women and children are gonna drown because you can't
2667 do this drainage. Well, we dealt with it. Our engineers dealt with it. The City experts dealt with it
2668 when we built Tivoli Village downstream from this 250 acres. FEMA dealt with it, and they
2669 would have to do the same thing. We provided a master conceptual drainage study to the City.
2670 We reviewed it with the City. We all recognized that further work and detail had to be done
2671 through the design process.

2672 We provided a traffic study to the City, and the City approved the traffic study for the 250 acres.
2673 Yet you hear these people repeatedly, meeting after meeting, oh, it's gonna, no, the traffic isn't
2674 gonna work. This is technical stuff. The City's professional staff and professionals deal with, and
2675 they wouldn't approve it if – it didn't work and the proper mitigation wasn't in there.

2676 The sewer, the sewer capacity, we got a letter from the City saying there's sufficient sewer
2677 capacity for what our plans were.

2678 And so, it – continues to be discouraging with the misrepresentation and the rhetoric you hear
2679 meeting after meeting after meeting. We wanted to do something great for the community. The
2680 golf course was, like, probably almost 2,000 golf courses have closed across the country in the
2681 last 12, 15 years. We wanted to do something beautiful for the neighborhood, as we had with
2682 One Queensridge Place, as we had with Tivoli Village. And the way we do things, we built 40,
2683 50 of the custom homes in – Queensridge. We own a number properties on that golf course and
2684 wanted to do something good for our properties, and, by osmosis, it would have helped these
2685 neighbors' properties and values.

2686 But what happened? We didn't delay the process. It was Mr. Schreck and his opposition that
2687 delayed the process and created the consternation in the community that you've seen and that
2688 we've seen and to our properties.

2689 And so, we're here because, at the beginning of the process, the opposition were (sic) told that
2690 not one home could be built on this process (sic). You asked me to meet with Shauna Hughes
2691 and try and negotiate. Well, we couldn't negotiate, because Shauna, as well as the opposition,
2692 heard from the opp, representatives of the opposition that not one home could be built on this
2693 process (sic). So they had no interest in even talking to us.

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2694 Brad Jerbic, your City Attorney; Tom Perrigo, your then City Planning Director, worked tirelessly
2695 (sic) for months, hours and hours and hours, meeting with neighbors to try and bring some
2696 consensus. But they had no interest in working with Mr. Jerbic or Mr. Perrigo –
2697

2698 **MAYOR GOODMAN**

2699 That's the same thing (inaudible) –
2700

2701 **FRANK PANKRATZ**

2702 – because they were under the belief that not one home could be built on this property.
2703 That's why we're here. It's not because of us. We were going to bring some phenomenal value
2704 and – components to this community. We had seven and half acre lots, five acre lots. Some of
2705 those lots had golf holes on them with water features and –, it was in a development agreement
2706 that Mr. Perrigo and his team and Public Works and everybody worked with us, and just two
2707 more quick ones, worked with us diligently for a year and a half to develop this development
2708 agreement. And when we brought it before you, and kept bringing it before you because of
2709 different abeyances, you heard from the opposition, the delays, delay, delay, delay because
2710 there's (sic) been changes made. Those changes that we made to that development agreement,
2711 that staff had worked diligently and agreed upon, the changes were because the neighbors came
2712 and said, oh, I want this. I want that.
2713 We incorporated them. So they got, stood in front of you and said, we need more delay because
2714 of the changes that were made. It was their changes. So this whole thing has been farcical and a
2715 shame. Thank you very much.
2716

2717 **MAYOR GOODMAN**

2718 And your comment on, and if I might, your comment on the ordinance?
2719

2720 **FRANK PANKRATZ**

2721 Pardon me?

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2722 **MAYOR GOODMAN**

2723 Your comment on the case ordinance before us?

2724

2725 **FRANK PANKRATZ**

2726 Absolutely, we can't support it. I can't support it. With my years of experience, this puts a nail

2727 where it doesn't have to be, because you've already got a process. You'll remember when

2728 Mr. Seroka brought before you an ordinance, before this ordinance, proposing a moratorium, and

2729 thank God for the City of Las Vegas, you kiboshed it.

2730 But at that time you asked Mr. Robert Summerfield, has our process ever failed us? And he said,

2731 and he elaborated a little more, and I'm paraphrasing, but he said, no. So you have the processes.

2732 You have the discretionary ability and processes in place already.

2733 And again, some of the things that are being asked in this ordinance, some people, some

2734 developments are meritorious of – doing some of this work in advance, and we did. Like I said, the

2735 traffic study we prepared and spent tens of thousands and millions of dollars, hundreds of

2736 thousands of dollars on these studies, traffic, and we met with the school district and said, hey, to

2737 the extent this development impacts the school, we'll be responsible and deal with it as we

2738 should. And, yet, you still heard from the opposition saying, oh, this is gonna drown the schools

2739 or the roadways. We dealt with that, and we would have dealt with it responsibly. Thank you.

2740

2741 **MAYOR GOODMAN**

2742 Thank you. Thank you. Yes, Ma'am.

2743

2744 **VICKIE DEHART**

2745 Hi. Vickie Dehart.

2746

2747 **MAYOR GOODMAN**

2748 Unfortunately, again, say your name again and where you live, please.

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2749 **VICKIE DEHART**

2750 Yes. Vickie Dehart, 9103 Alta Drive. And I just wanted to address a few things that Mr. Schreck
2751 said.

2752

2753 **COUNCILMAN COFFIN**

2754 We can't hear you.

2755

2756 **VICKIE DEHART**

2757 I wanted to address a few things that Mr. Schreck said, and, for those of you who don't know me,
2758 I am the developer. My partner is Yohan Lowie. He's usually the front guy, and I usually don't
2759 stand up here and talk because it's not my thing.

2760 But, Mr. Schreck stood up here and he said, he bought into community and they bought into
2761 community as what you see is what you get. Now, all of us knows (sic) that that is not, and he's
2762 an attorney. We get title reports. We have a deed. We have CC&Rs if you live in a community.
2763 In his own deposition, he said he didn't read the CC&Rs. He didn't read anything. He said his
2764 wife did not read them. The Peccole Ranch Master Plan that he likes to put out there all the time,
2765 in his deposition he said he never even heard of it until 2015 when all of this started on the
2766 property.

2767 So, I think you should hold attorneys to a higher standard and make them tell the truth when
2768 they're standing up here. And if you like, I will send you a copy of his deposition. Thank you.

2769

2770 **MAYOR GOODMAN**

2771 (Addressing the audience) Please, please. I, look, we want to get through to the end of the public
2772 comment. So you've already spoken. Is there anything that is pithy or that you have to add?

2773

2774 **FRANK PANKRATZ**

2775 Could I just, add one more thing, if you'll indulge me, please. Mr. Schreck stood, has stood in
2776 front of this body many times saying, Mr. Lowie said this is a done deal. He takes it out of
2777 context. Mr. Lowie said, after we hired experts and reviewed the golf course and its – feasibility

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2778 to maintain – and remain a golf course, he said, no, it's a done deal; the golf course is gonna
2779 close. And here Mr. Schreck stands before you saying that Mr. Lowie said it was a done deal,
2780 i.e., we had a cut with the City and the City Council and stuff. It's a bunch of garbage.

2781

2782 **MAYOR GOODMAN**

2783 Okay.

2784

2785 **COUNCILMAN SEROKA**

2786 Mayor, if I could, can we stick to the open space ordinance? This is not about Badlands. This is
2787 not about Badlands.

2788

2789 **COUNCILWOMAN FIORE**

2790 But your open space ordinance applies to Badlands only.

2791

2792 **FRANK SCHRECK**

2793 (Inaudible)

2794

2795 **STEVE CARREA**

2796 I would like to make a comment. One second, Frank. One second.

2797

2798 **COUNCILWOMAN FIORE**

2799 Okay?

2800

2801 **STEVE CARREA**

2802 You know, I'll tell you. Everybody attacks Mr. Schreck, and it's not true.

2803

2804 **COUNCILWOMAN FIORE**

2805 Can you say your name?

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2806 **MAYOR GOODMAN**
2807 Wait, wait, wait. Wait. Please everybody, Council too. Excuse me. Sir, your name.
2808
2809 **STEVE CARREA**
2810 I've been here many times. Steve Carrea.
2811
2812 **MAYOR GOODMAN**
2813 Well, we don't know that so.
2814
2815 **STEVE CARREA**
2816 One Queensridge Place.
2817
2818 **MAYOR GOODMAN**
2819 Where do you live?
2820
2821 **STEVE CARREA**
2822 I'm part of the family; right?
2823
2824 **MAYOR GOODMAN**
2825 Right.
2826
2827 **STEVE CARREA**
2828 Queensridge Place.
2829
2830 **MAYOR GOODMAN**
2831 I know, but you have to say it every time.

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2832 **STEVE CARREA**

2833 But I want to say, Mr. Schreck should have an opportunity for rebuttal, because you know why?

2834 Because I see Pankratz, I see Lowie, I see people like Dehart come back and forth, up and down.

2835 I see Chris Kaempfer, and you never allow our people to come back and forth.

2836

2837 **MAYOR GOODMAN**

2838 Okay. Okay. No. Let me just say this.

2839

2840 **STEVE CARREA**

2841 I'm going to talk in a minute.

2842

2843 **MAYOR GOODMAN**

2844 Let me say this.

2845

2846 **STEVE CARREA**

2847 But I'd like Mr. Schreck to have a rebuttal, please.

2848

2849 **MAYOR GOODMAN**

2850 We're in front of the Nevada Supreme Court, and what we've got here –

2851

2852 **STEVE CARREA**

2853 We're well aware.

2854

2855 **MAYOR GOODMAN**

2856 Excuse me. This is all in front of the Nevada Supreme Court, who will be ultimately giving us

2857 direction or resolution. The reality is we have been doing this over three years. We have heard to

2858 the wee hours of the morning testimony. The reality, this is about this particular ordinance only

2859 and so –

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2860 **STEVE CARREA**

2861 I will address that as soon as Mr. Schreck has an opportunity for rebuttal.

2862

2863 **MAYOR GOODMAN**

2864 No, you can't come back anymore. That's it. We're trying to get to the –

2865

2866 **STEVE CARREA**

2867 No. I've got people back here that support me, that wanna give me time.

2868

2869 **FRANK SCHRECK**

2870 Go ahead and give it.

2871

2872 **COUNCILMAN SEROKA**

2873 Go ahead and take your time.

2874

2875 **STEVE CARREA**

2876 (Inaudible) I don't understand why you allow all the other side of the coin to come up here and

2877 (inaudible)

2878

2879 **MAYOR GOODMAN**

2880 We have not heard from any of the people in the yellow shirts. Please. Please. Okay, Mr.

2881 Schreck.

2882

2883 **FRANK SCHRECK**

2884 I just, I just want to address a couple of things that have been – said about me personally.

2885

2886 **MAYOR GOODMAN**

2887 No, and I did say you come back because they wanted you to answer.

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2888 **FRANK SCHRECK**

2889 Okay, that's the only reason. Number one, Mr. Pankrantz said that I have gone around and told
2890 homeowners that they didn't have a right to build one home on the golf course. That's absolutely
2891 right, and that's what Judge Crockett said, that's what Jerry Williams said. They can't build one,
2892 unless they get a major modification of our Master Plan approved by the City Council, and then
2893 amend your General Plan, where it has PR-OS, no residential, to allow the zoning. That's what
2894 we've always said. So they do not have a right at this point in time, nor at any point in time,
2895 except for that period that you granted the 430 that Crockett threw out, to build anything on the
2896 golf course, and that's what I've said, you know, continually. So –

2897

2898 **MAYOR GOODMAN**

2899 Okay. Okay. Thank you. Thank you.

2900

2901 **COUNCILMAN SEROKA**

2902 Mayor, if we can stick to the ordinance on these comments –

2903

2904 **FRANK SCHRECK**

2905 And then –

2906

2907 **COUNCILMAN SEROKA**

2908 I think that would be most appropriate.

2909

2910 **MAYOR GOODMAN**

2911 I think he's addressing your community here, so I just wanted to give him an opportunity to make
2912 a response, and all of this is up at the Nevada Supreme Court, where it will rest and decision will
2913 be made, which will be the guidelines going forward. So thank you very much.

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2914 **COUNCILMAN COFFIN**

2915 Your Honor? I need to correct the record here. I'm sorry. Please, Your Honor. Your Honor, if I
2916 could just correct the record here. It's not all at the Supreme Court. At least two of us are being
2917 sued individually to deprive us of our right to vote on this issue. We are being sued individually
2918 in federal court, federal court, by the developer.

2919

2920 **COUNCILWOMAN FIORE**

2921 Mayor?

2922

2923 **COUNCILMAN COFFIN**

2924 And it's a pretty bold move. Never been done before. And I think we should just consider the
2925 possibility that this all, litigation all over the place. That's why I have to kind of be restrained in
2926 my comments.

2927

2928 **MAYOR GOODMAN**

2929 Okay. Let's go on, please. Or did you want one thing? Yes.

2930

2931 **COUNCILWOMAN FIORE**

2932 Okay. Thank you. And, Mayor, if you'll indulge me for a second, this is extremely important,
2933 especially, because we're sitting up here as a board to protect the City of Las Vegas. And
2934 sometimes when you sit up here and you know that you're sitting on a board and there are some
2935 biased opinions and the lawsuits are happening, it's very difficult to sit up here and not let you
2936 guys understand why it's so important that, as he just, as Councilman Coffin just said, he's being
2937 sued. Okay. So his vote, okay, I just, I'm gonna read this because you need to know it, and I'm
2938 gonna ask Bryan Scott his opinion on it.

2939 So this is our Councilman Bob Coffin. I agree with you, Chuck. Now that I have answered you
2940 from my home, totally using personally paid-for resources. Now, understand, this isn't a private
2941 email. I'm involved now because my peer literally replied all, along with the Clerk, and this is
2942 the stuff I'm sitting here defending.

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2943 I agree with you, Chuck. Now that I have answered you from my home, totally using personally
2944 paid-for resources, like my personal cell phone through a non-governmental server, I have to
2945 submit this email to the aforementioned – developer's lawyers. I could have said your
2946 characterization as dishonest would be improper, but that would still be subject to discovery, as
2947 interpreted by his lawyers, since the asshole is using (sic) me and claiming I am anti-Semitic.
2948 If this mother f'er, it's, but it says it, I just don't wanna say it on TV. If this mother, you know
2949 what, gets his way in federal court, I will not be able to vote any more on Badlands. The son of a
2950 bitch asks for everything with the term Badlands, including personal text messages, emails,
2951 social media posts and comments, voice mail and written notes or letters, handwritten or not.
2952 The guy seems to be in a grip of several mental disorders, including but not limited to
2953 narcissism, and much of the obsessive-compulsive spectrum. Greed can be an uncontrollable
2954 manifestation of his needs caused by his disorders. There is no dishonesty if you are mentally ill,
2955 but his illness has cost local governments millions and innocent bystanders, like you, a horrible
2956 cost of security in your home and loss of values.
2957 Better hope he does not win his harassment lawsuits against Seroka and me because we will be
2958 in the grip of dictatorial capitalism. Bob Coffin. I mean, pretty, I mean, son of a bitch, himself, in
2959 his old age.
2960 Now you're gonna tell me my peer can vote on this issue without biasism (sic)? I have a problem
2961 with this.

2962

2963 **COUNCILMAN COFFIN**

2964 Your Honor?

2965

2966 **COUNCILWOMAN FIORE**

2967 So, this is going into the record.

2968

2969 **MAYOR GOODMAN**

2970 Okay. (Addressing the audience) Everyone, please –

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2971 **COUNCILMAN COFFIN**

2972 See as long as you have –

2973

2974 **MAYOR GOODMAN**

2975 Let's try. Enough everybody.

2976

2977 **COUNCILMAN COFFIN**

2978 Once you, you've lost control –

2979

2980 **MAYOR GOODMAN**

2981 (Addressing the audience) Enough, everyone. We are going to move forward on this ordinance.

2982

2983 **COUNCILMAN COFFIN**

2984 (Inaudible)

2985

2986 **MAYOR GOODMAN**

2987 And so, I'm going to please, please go forward.

2988

2989 **COUNCILMAN COFFIN**

2990 (Inaudible) of a resident of Queensridge, ladies and gentlemen. It was not meant to be public.

2991

2992 **MAYOR GOODMAN**

2993 Please, let's go forward. This is about the ordinance here.

2994

2995 **COUNCILMAN COFFIN**

2996 However, as long as it's now been requested to be entered into the record, I endorse it.

2997

2998 **MAYOR GOODMAN**

2999 Okay. Let's go forward, please.

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3000 **CHRIS KAEMPFER**

3001 Good afternoon, Your Honor.

3002

3003 **MAYOR GOODMAN**

3004 Your microphone, there you go.

3005

3006 **CHRIS KAEMPFER**

3007 Good afternoon, Your Honor, Members of the Council. I'm Chris Kaempfer. I'd like to get back
3008 to the first point that the Mayor raised, which was whether or not this would have an effect on
3009 development in these other wards and whether or not we should treat the issues involved with the
3010 golf course separately from other open space issues. I think the point you made was proven by
3011 Mr. Schreck's statement that if this ordinance was in place, he would not have bought the land.
3012 Well, I represent, and our firm represents dozens and dozens, hundreds of developers, from as
3013 big as Madison Square Garden down to the little guy who buys two acres of property and wants
3014 to build eight homes on it. I am telling you right now that that little guy is not going to spend the
3015 kind of money that somebody would if they're developing a big piece of property. They're not
3016 gonna do a 3-D model. They're not gonna do environmental studies. They're not gonna do master
3017 plans. They are not gonna do it. They will look elsewhere for the land that they want. They will
3018 not look in the City. They will look elsewhere. And I am telling you that's what they'll do.
3019 Golf courses and open space are two different things, and they should be treated differently. And
3020 when you combine the two, you create problems that, I think, are gonna, you're going to find
3021 you're not gonna be able to get around.

3022

3023 **MAYOR GOODMAN**

3024 Thank you.

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3025 **CHRIS KAEMPFER**

3026 Now, one other thing. You saw the pictures of that desert. I live on that desert. Okay? And I'm
3027 just telling you right now, when I first got involved in this, I wanted to negotiate this thing, and
3028 I've done everything I could.

3029

3030 **MAYOR GOODMAN**

3031 You helped too.

3032

3033 **CHRIS KAEMPFER**

3034 And the comment was made to me, I would rather see it a desert than a single home bought on it.
3035 Well, you know what? That wish has been granted. That's exactly what we have, and it is sad.
3036 And I don't wanna blame anybody. I've been doing this for 45 years. I've never seen anything
3037 like this, and I am so glad that I probably won't have to see it in, quite a, again.

3038

3039 **MAYOR GOODMAN**

3040 (Inaudible)

3041

3042 **CHRIS KAEMPFER**

3043 But, anyway, the point I make is they should not be clumped together. And when you do it, if
3044 you don't think you're affecting development, you don't know what you're talking about. I do.
3045 I've been doing it for 45 years. I know what developers think and how they act and what they're
3046 willing to spend, and they're not gonna spend tens of thousands of dollars on the, if – come
3047 because you're gonna maybe approve something or maybe not. They'll go somewhere where it's
3048 done the way they're used to. Thank you.

3049

3050 **MAYOR GOODMAN**

3051 Thank you. Thank you. Yes, why don't you come to the middle one?

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3052 **STEPHANIE ALLEN**

3053 Thank you, Mayor, Members of the Council. Stephanie Allen, 1980 Festival Plaza, here on
3054 behalf of the property owners of the former Badlands Golf Course. I would just like to briefly
3055 say that obviously this – ordinance is and always has been about Badlands. That's why all of the
3056 testimony today, or most of it, has been about Badlands.

3057 But the reality is the Badlands Golf Course is not like any other golf course in the City of Las
3058 Vegas. All of the other courses, including Silverstone, have some form of restriction on them,
3059 either deed restriction or CC&R that would require homeowners to participate or sign off on the
3060 development of those properties. Badlands is the only property that is residentially zoned, has no
3061 CC&Rs, has no deed restrictions, is not a part of Queensridge, is not a part of Peccole Ranch. It
3062 stands alone, and that was clear in all the property rights and documents that are recorded against
3063 that property. So, it's unique, and it's different.

3064 And the Supreme Court, actually, we keep talking about cases. I think we have an obligation, as
3065 lawyers, to be, have candor to the court and to tribunals and to share all the cases that are out
3066 there. There's one case that has gone to the Supreme Court. One case. And that was not
3067 mentioned by Mr. Schreck.

3068 That one case established and affirmed he property rights on this property. It's the case of the
3069 Peccole, Robert Peccole vs. Fore Stars, and two weeks ago a ruling came down from the
3070 Supreme Court of the State of Nevada that said that this property is developable. It affirmed
3071 Judge Smith's ruling that the property is developable.
3072 It specifically says, the record supports the District Court's determination that the golf course
3073 land was not part of the Queensridge community under the original CC&Rs, the public maps and
3074 records regardless of the amendment, and we conclude the District Court did not abuse its
3075 discretion in denying the motion.

3076

3077 **MAYOR GOODMAN**

3078 Okay. (Addressing the audience) Please.

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3079 **STEPHANIE ALLEN**

3080 It – further, it further says that the appellants filed a complaint alleging the golf course land was
3081 subject to the CC&Rs when the CC&Rs and public maps of the property demonstrated that the
3082 golf course was not. Judge Smith recognized in his decision that the property was residentially
3083 zoned RPD-7, developable, and not subject to the Queensridge CC&Rs.

3084 So, there are property rights in this country. The Supreme Court of the State of Nevada has ruled
3085 on the issue that the property is developable, and that's important information for you all to hear
3086 that was not mentioned previously.

3087

3088 **MAYOR GOODMAN**

3089 Thank you.

3090

3091 **STEPHANIE ALLEN**

3092 So I'd like you to take that into consideration.

3093

3094 **MAYOR GOODMAN**

3095 And I would like to say this – is not a court of law here, and we are not in a position to make any
3096 judgment that has to do with the law. So, Mr. Schreck, you did have your opportunity to speak.

3097 You have spoken.

3098

3099 **FRANK SCHRECK**

3100 They've let three or four attorneys representing them up here in sequence.

3101

3102 **MAYOR GOODMAN**

3103 No, no, no. No, please. This is about –

3104

3105 **FRANK SCHRECK**

3106 I have a very brief, I have a very brief statement, very brief statement.

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3107 **MAYOR GOODMAN**

3108 Okay.

3109

3110 **FRANK SCHRECK**

3111 Stephanie came up and said you have to be candid and honest with you. She had, the Supreme
3112 Court decision, which is in Bob Peccole's case, dealt with only one aspect of his entire decision,
3113 and that had to do whether or not the CC&Rs prevent the development of the golf course.
3114 Nothing else.

3115

3116 **MAYOR GOODMAN**

3117 Okay.

3118

3119 **FRANK SCHRECK**

3120 Not whether the golf course is developable or not, whether the CC&Rs apply. We've never taken
3121 the position that the CC&Rs apply to the golf course.

3122

3123 **MAYOR GOODMAN**

3124 Okay. So you've made a record.

3125

3126 **FRANK SCHRECK**

3127 So it's consistent with what, everything we said. But contrary to what Stephanie said, the judge,
3128 the Supreme Court never recognized the fact of some of the findings of fact in that case that dealt
3129 with all kinds of issues that weren't before that court.

3130

3131 **MAYOR GOODMAN**

3132 Well, we're still in front of the Nevada Supreme Court, so we'll keep hearing. And keep in mind,
3133 this is not a body of lawyers or a court of law. So good afternoon. Good afternoon.

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3134 **BOB PECCOLE**

3135 Bob Peccole. I live in Queensridge. I am an attorney. You heard the reference made to the case
3136 that I have in the Supreme Court, and I would, I would like to say that the Supreme Court, on a
3137 petition for rehearing, has ordered the other side, which are the people sitting here, to respond,
3138 which means it has merit. So it's not what was just represented to you, 'cause it's not final.

3139 The other part I'd like to say is I am a Peccole of the Peccole family. We've been developing
3140 properties, it started with my grandfather in Las Vegas in the late '20s. I came out of law school
3141 in '63. I've been involved in development with the Peccole family for over 50 years. He's only
3142 got 45. But I have, I have been before every City Council that had existed since my coming into
3143 practice. I've been in the Clark County Commission. I have been in the Henderson Council. I've
3144 been in Boulder City's Council on development. And I sit here and listen to these people who
3145 have all the reason for arguing for Mr. Lowie.

3146 But I would point out that this ordinance is necessary to stop all of this bull. I, when you sit there
3147 and talk about having traffic studies, having school approvals, that has always been, and it, I
3148 hadn't seen it changed until this time.

3149 What happened is when you came in as a developer, you had your traffic studies, you had your
3150 school approvals. We actually built schools down on East Charleston, so we could develop a
3151 center.

3152 Now, I don't hear any of that. What I do hear is, under what you have now, Mr. Perrigo stand up
3153 and say: Well, I hear you got problems with a traffic study. That can be mitigated. I had never
3154 heard that term in development ever. And he says, oh, that can be mitigated.

3155 The lady from the school district came in and read a letter into your record, saying the school
3156 district did not approve the development of this development. And I, I'm sitting there, I hear it
3157 coming out of the Planning, well, that can be mitigated. Mitigated? Yeah, that's great. You know,
3158 how do you mitigate something should be required and approved before you even walk in and
3159 ask for any applications for development?

3160 The other part, too, is we've had the offer from Mr. Lowie's group saying that, well, their ingress
3161 and egress will come through the water company. Oh, that's great. Everybody's standing there.

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3162 Planning's approved it. We find out the water company has never allowed an easement to
3163 anybody other than the water company.
3164 So, what – are you going to do? You're going to do what you continue to do now, which is pass
3165 him and then check the conditions later? No, that is not good business, and any good developer
3166 will not agree with that. A good developer will say to you, okay, here it all is. I'll put it to you
3167 right now, so you can approve it and so I don't lose all the money trying to get approvals and
3168 conditions approved later when it can be done all upfront. And it makes no difference whether
3169 it's open space, golf course, or whatever. It's just the way you do it and you do it right.
3170 And all you gotta do is pass an ordinance that says, do it right. And that's all I can say, and I
3171 know what I'm talking about developing.

3172

3173 **MAYOR GOODMAN**

3174 Okay. Thank you. Now I have some cards here. I don't know if we've heard from Gregory Kerr.
3175 And have we heard from Ron Coury, The Lakes Association President? Then I have some other
3176 cards here. I've got a couple on Agenda Item 70, but Shandra Armstrong and Warren Williams.
3177 So if, in fact, you're here. Hello.

3178

3179 **BRETT HARRISON**

3180 Hi, Madam Mayor. I'm Brett Harrison. I live at 778 Step Beach Street, here in Las Vegas. We've
3181 heard so much talk today about the specifics of the Badlands development, whether it be traffic
3182 reports, or ingress and egress, as Mr. Peccole just mentioned, or all of Mr. Schreck's
3183 presentation.

3184 All that I ask that you do not infect the entire city for the entire city history with this ordinance in
3185 this matter. I think by voting this ordinance in today, you're taking this issue and extending it on
3186 with unknown circumstances and unknown properties to unknown developers, unknown people,
3187 unknown residents all in the future.

3188

3189 **MAYOR GOODMAN**

3190 Without question.

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3191 **BRETT HARRISON**

3192 And I think, as we've already discussed, a lot of the issues that the ordinance is trying to affect
3193 were already taken place in the Badlands when it comes to all the studies and such. So by doing
3194 this, I think we're just infecting this from here on out forever. Thank you.

3195

3196 **MAYOR GOODMAN**

3197 Thank you. Thank you. Okay. Anyone else? Yes.

3198

3199 **TOMMY WHITE**

3200 Tommy White. (Addressing the audience) Hold on. Resident of Las Vegas and registered voter,
3201 just like most of them behind me are registered voters. You know, we sit here today for this
3202 many hours, you hear so many sides of this whole story; right? At the end of the day, the people
3203 that you refer to as them are men and women that work. They're not them. The ones you refer to
3204 as disrespectful, like you are when you cross-talk the Mayor or you sit there and eat, while we're
3205 sitting here for five hours listening to this, that's disrespectful.

3206 Now, I've been coming to City Council meetings as far back as Janet Jones, right, and I have
3207 never seen one get so out of order as these get. They cross-talk you, Mayor. They cross-talk the
3208 women on this Council, which is just totally disrespectful. But, I'm not here for that today. I'll
3209 come back for that one.

3210 We – cannot support this ordinance. We have so many other projects that we are looking at down
3211 the line. I spoke to Councilman Crear about some of the projects that I'm meeting about next
3212 Wednesday, which could affect his neighborhoods, which, if this ordinance passes, will not be
3213 done in his neighborhoods. And it will not be done. We met over the Medical District, with some
3214 of our investors.

3215

3216 **MAYOR GOODMAN**

3217 (Inaudible)

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3218 **TOMMY WHITE**

3219 They will not come to it, they will not come to that area.

3220 You know, for us, this is just not a golf course. I mean, you know, we're not, not everybody in
3221 here is a member of Local 872; right? So, when developments are done and communities are
3222 built, these are the people that serve you coffee. These are the people that drive buses. They're
3223 not all just construction workers, like the one homeowner said is gonna work one year. Okay? So
3224 we – don't wanna feel like we're just people that want to work in a community for one year.
3225 Okay?

3226 We build our communities. These men and women back here, they wanna work. You are going
3227 to slow down development should you pass this ordinance. So, therefore, I should stand up here
3228 just like some of the other people did and took everybody's time. We could stay here till about
3229 8:00 at night, right? I saw that happen so many times. But if I took everybody's minute right
3230 here, we'd be here for maybe another two hours. But we're not going to do that.

3231 All we want to do is tell you we're not going to support this ordinance. We're gonna, even when
3232 this is over, should this ordinance pass, we're gonna do what we have to do to make sure that
3233 we're not going to support the ordinance that gets passed by the City. Thank you.

3234

3235 **MAYOR GOODMAN**

3236 Okay. Now, for all of you, for all of you that do work and do live here and are part of our
3237 community, you are definitely part of our community, and we appreciate you. For any of you
3238 that have served in the Armed Forces, we thank you for your service.

3239 This is about the whole community, not only really of the City. It is the whole community of
3240 Southern Nevada. And what I am totally committed to is taking care that we do our due diligence
3241 as a community. There's obviously enough dialogue that has been submitted today. There's no
3242 rush to have to put this in place today so that more thorough examination can take place. That's
3243 all I've been asking for. And if you wanna separate it out and do the Badlands or golf courses
3244 separately, that's all I am asking for.

3245 We appreciate that our economy has come back and that we have jobs, and we have great
3246 aspirations for all wards here, especially as we've been seeing great, great interest in the 1, 3, and

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3247 5 more historical neighborhoods. And so what we're trying to do, it is not trying to be one-sided
3248 or another. It is trying to take care of the whole.

3249 And so my concern is and my appreciation for all of you, no matter which side of the Badlands
3250 issue we're (sic) about, and the Badlands, as we've said 50 times today, we've all been sitting
3251 here for over three years on this issue. My concern is to continue the development and the
3252 interest in building our City and not bleed interest in it.

3253 And there is no question, having asked staff, that doing things upfront, pushing this upfront will
3254 cost the developer to do it upfront. And it is not saying that everything shouldn't be done to the
3255 last letter to make sure it's right as it goes forward. The Badlands is a unique entity, and it's been
3256 a (sic) unique from the time this began for us.

3257 I trust our staff for being thorough in their investigation. I trust our legal team for knowing what
3258 the law is, because not a one of us up here is a lawyer. We are not in a position, and we did know
3259 right from the beginning, as threats of litigation began, that it's only as far as the Badlands, that
3260 we were gonna end up in the Nevada Supreme Court. And we've been listening all this time. So
3261 the most important thing is that we are cautious, that we are deliberate, that we make sure we're
3262 not rushing to any judgment, and that has been my plea.

3263 So I thank you all, all of you that now can go out in traffic because everybody can see you. I'd
3264 like one of your shirts so when I go walking in the dark in my neighborhood, which is dark, I
3265 would have one.

3266 So with that, we are gonna move ahead. I'm gonna hear the last individual. And hopefully, is
3267 there anyone else that hasn't been heard? Then I'm going to turn this over to Councilman Seroka,
3268 whose ordinance, who's sponsor of this ordinance, and let our Council vote if we're all here. So I
3269 thank you all and appreciate it. And, Ma'am, your name and where you live.

3270

3271 **DEE SULL**

3272 Sure. My name is Dee Sull, and I live at 7005 Via Campanile Avenue. Shout out to the
3273 wonderful Labor (sic), Local 872. I also come from a union family.

3274 But let me tell you one thing. I'm really, really disturbed, as a homeowner, and somebody who
3275 has worked in this community and provided services. What bothers me about sitting through are

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3276 these last couple of hours is that our City is bailing out on promises that were made to
3277 homeowners.

3278 No one's disputing the right to work. I'm all for an honest day of work and getting paid. But these
3279 homeowners were made promises, and they made investments. And we were speaking about
3280 recusals of Councilman Coffman (sic), and I would probably urge that, you know what, money
3281 talks, bullshit walks. Okay?

3282 But what really bothers me is these people also, they made an investment. They were given a
3283 bond from this Council. You made promises, and now we're sitting there thinking, well, we can't
3284 honor it.

3285 I am really upset about the tone of this whole proceeding. But, moreover, I mean, it's, it just
3286 seems to me, as a constituent, that money is talking here. And these investors who, like, I hate to
3287 say, are like workers and they worked and they made an investment and promises were made, are
3288 now having you guys sit here and make a decision of reneging on your promises.

3289 I know that Councilwoman Fiore made some promises to Silverstone. My friends supported you
3290 in basically your election bid, and you made promises of fighting for 'em. That was a promise. I
3291 think you should, like, fight for them. But, I feel like right now the investors are winning here.
3292

3293 **COUNCILWOMAN FIORE**

3294 (Inaudible) So, Ma'am, if you're gonna address me –
3295

3296 **MAYOR GOODMAN**

3297 Okay –
3298

3299 **COUNCILWOMAN FIORE**

3300 – and tell me that I made a promise, I did make a promise. And guess what? We kept it. There's
3301 no building on Silverstone. We need 75 percent of signatures from Silverstone. So until that
3302 happens, nothing happens on Silverstone. Okay? So yeah, I keep promises, Ma'am.

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3303 **MAYOR GOODMAN**

3304 Thank you.

3305

3306 **DEE SULL**

3307 You know, it's condemned land.

3308

3309 **MAYOR GOODMAN**

3310 Okay. Thank you. If you'll wind up, please, so we can, we have a couple of more people.

3311

3312 **DEE SULL**

3313 Yeah. I am actually for this. So, I mean, I would implore you guys all to honor the promises you

3314 made to these constituents, because, yeah, you're here for the rest of us, too, you know. And so,

3315 if you're gonna go for the big developer over the little guy, I mean, today these guys are in this

3316 boat. But, you know what? I hate to say it, you guys may be next, because if they turn their backs

3317 on them, it comes down a train.

3318

3319 **MAYOR GOODMAN**

3320 And next, please.

3321

3322 **ISAAC VEGA**

3323 My name is Isaac Vega. I am not a lawyer. What I am is a hard-working union member for the

3324 last 20 years, and I also put in 40 hours or more when it comes to the election cycle, volunteering

3325 to get the correct woman or man there to get us jobs. (Inaudible) Mayor Goodman, I'll give you

3326 all my shirts off my back.

3327

3328 **MAYOR GOODMAN**

3329 That's the spirit. Thank you. Thank you. Yes, Ma'am. Thank you. Well, when I tell you my

3330 neighborhood is dark, it is really dark, and I walk a lot. So, thank you for your shirt. Yes, Ma'am.

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3331 **ELIZABETH GHANEM HAM**

3332 Good afternoon, Your Honor, Councilmembers, Elizabeth Ghanem Ham, 1215 South Fort
3333 Apache, here on behalf of the developer. I first wanted to just make sure that what Ms. Allen was
3334 referring to, the Supreme Court order, actually gets into the record. I don't think she asked that
3335 that be placed there.

3336

3337 **MAYOR GOODMAN**

3338 Thank you.

3339

3340 **ELIZABETH GHANEM HAM**

3341 So, if we could place that in the record, that would be great. Really all I want to say it's been
3342 said. I'm gonna – just say that this ordinance is really in response to the Queensridge residents
3343 asking the City to now create a law that saves them from their either failure or mistake of reading
3344 their own deeds and their own CC&Rs, what they acknowledged in writing, that told them
3345 exactly that this property was developable. And that's all I really have to say about that.

3346

3347 **MAYOR GOODMAN**

3348 Thank you.

3349

3350 **ELIZABETH GHANEM HAM**

3351 So, they, there's a lot of talk about failing to do homework and all the work that has to be done,
3352 they failed to or refused to, and now they're asking the City to step in and create a law to save
3353 them. Since when is the City in the business of creating laws to bail people out of their own
3354 failures? Thank you.

3355

3356 **MAYOR GOODMAN**

3357 Thank you. Okay. Are you with her? Oh, you're separate. Okay.

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3358 **RENA KANTOR**

3359 Good afternoon. My name Rena Kantor. I own and live at 9408 Provence Garden Lane. I
3360 apologize; I'm a little out of breath. I was here this morning. I had to leave. I'm back. So first of
3361 all, in answer to the attorney who just spoke, I bought my house in Queensridge. I read the
3362 information. There was no question in my mind that that was developable land.

3363

3364 **MAYOR GOODMAN**

3365 There was no question in your mind that it was developable land?

3366

3367 **RENA KANTOR**

3368 That that was developable. Absolutely knew that it was not part of the, of the development.
3369 Absolutely knew it was privately owned. Absolutely knew that anything could happen at any
3370 time to that land, and I live on the golf course; okay? So, to keep brief, I actually wrote out my
3371 ideas.

3372

3373 **MAYOR GOODMAN**

3374 Okay.

3375

3376 **RENA KANTOR**

3377 Okay. I don't have to tell anybody in this room that this has gone on far too long. I needed to
3378 review the all the proceedings, postponements, abatements, requests for change, HOA meetings
3379 that have taken place in the past. The delays have done nothing but frustrate the Queensridge
3380 homeowners and reduce the value of all homes in Queensridge. I might add that, not
3381 surprisingly, homes in Peccole Ranch and other surrounding areas have been negatively affected
3382 as well because of it.

3383 Last June, at a meeting of the HOA with Mr. Seroka, I posed a question to him, in that public
3384 forum, asking how we move forward, how we break the stalemate that is so negatively affecting
3385 our homes and neighborhood. Mr. Seroka answered that the HOA and the developer would have
3386 to come to an agreement, seems very fair.

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3387 Since then, this is the second ordinance I know of that is designed to specifically preclude that
3388 being able to happen. I'm not a lawyer, but it seems to me that if this ordinance passes, it will
3389 allow no one, including the HOA, to try to alleviate the stalemate. As a matter of fact, I noticed
3390 this morning that there was a petition being circulated by the HOA, and I'm curious to know if
3391 they realize that if this ordinance passes, that petition is worthless.

3392 So, first of all, I also have to applaud Mayor Goodman for pointing out that this ordinance is
3393 absolutely designed to discourage development. As a Queensridge homeowner, I am shocked
3394 and heartbroken by this ordinance. It says to me that the values of Queensridge, by definition,
3395 will continue to plummet, and it will be years before anything is done with the defunct golf
3396 course. This ordinance is clearly designed to affect only Badlands and Queensridge. What have
3397 we done to – deserve this special treatment?

3398 As a Las Vegas, I am perhaps even more shocked. If I read this ordinance correctly, the City
3399 Council is trying to retroactively punish the developer for not following guidelines that didn't
3400 even exist. I question whether, I question whether that's even legal. But I would like to highlight
3401 to everyone in this room what this seems to mean. Again, I'm not a lawyer. But, in particular, the
3402 Queensridge homeowners, who are supporting this ordinance, should be aware of the tone. The
3403 logic here is that we have no protection from the whims of a government agency. If you have a
3404 business, which you own and run legally, have all required licenses and approvals and pay your
3405 taxes, you may still be open to future penalties. If in a few years City Council decides that they
3406 should have had, they should have required – more –

3407

3408 **MAYOR GOODMAN**

3409 Ma'am, I'm gonna have to interrupt you. You've got to close.

3410

3411 **RENA KANTOR**

3412 Okay. If they decided they wanted more taxes or different licenses, they can go back and ask you
3413 or punish you for what you did because you didn't know what the rules were. It seems downright
3414 un-American, and it will certainly negatively affect Badlands.

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3415 **MAYOR GOODMAN**

3416 And in closing?

3417

3418 **RENA KANTOR**

3419 In closing, unfortunately, I am hesitant to believe that my comments will make much of a
3420 difference here today as I have become convinced that there may be ulterior motives at play. I
3421 can only begin to guess what they are. What I know is that the HOA has been misguided by
3422 following a few extremely wealthy and biased homeowners who do not have Queensridge (sic)
3423 best interest in mind and because of that we all suffer. I beseech you to vote no on this ordinance
3424 and allow the developer to proceed in negotiating with the HOA and move forward with a,
3425 toward a mutually agreeable, acceptable agreement. Thank you.

3426

3427 **MAYOR GOODMAN**

3428 Thank you. I am now, I'm going to, I'm going to close, I'm gonna close the public hearing now
3429 and turn this over to Councilman Sero, one more second.

3430

3431 **MELANIE HILL**

3432 Hi.

3433

3434 **MAYOR GOODMAN**

3435 Hello. Your name, please.

3436

3437 **MELANIE HILL**

3438 My name is Melanie Hill, and I'm a resident of Silverstone Ranch.

3439

3440 **MAYOR GOODMAN**

3441 Okay.

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3442 **MELANIE HILL**

3443 And I spoke at the last City Council meeting and told you that the Silverstone Ranch residents
3444 are in support of this bill, and we asked everyone to –

3445

3446 **COUNCILWOMAN FIORE**

3447 Stop. Wait. We got a letter. One second, stop. Mrs. Hill, you can speak for yourself and a list.

3448 But when I have a – written email from your board, I really wish you would represent yourself as

3449 Mrs. Hill, a Silverstone resident, and not all of Silverstone, because there's fifteen hundred

3450 seventy-two of you.

3451

3452 **MAYOR GOODMAN**

3453 Okay, so start again. Hi.

3454

3455 **MELANIE HILL**

3456 Yeah, I wasn't even going to say that, but thank you. I just wanted to say that at the last meeting,

3457 I told you that I would bring Silverstone residents to the meeting so that you could see that there

3458 are many Silverstone residents who are in support of this bill. And I asked them to wear the

3459 green T-shirts that say Save our Silverstone, so that you could see for yourself, Councilman (sic)

3460 Fiore –

3461

3462 **COUNCILWOMAN FIORE**

3463 One of the women came up with the shirt –

3464

3465 **MELANIE HILL**

3466 – how many Silverstone people –

3467

3468 **COUNCILWOMAN FIORE**

3469 Thank you. And guess what?

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3470 **MAYOR GOODMAN**

3471 Wait. No, no, no.

3472

3473 **COUNCILMAN SEROKA**

3474 Just stop it.

3475

3476 **COUNCILWOMAN FIORE**

3477 One of the women came up with the shirt and said she lives next to Silverstone. So, Mrs. Hill,

3478 honesty is the best policy with me.

3479

3480 **MAYOR GOODMAN**

3481 Okay. So let's wind, if we could, please, let's wind this down so I can turn this over to

3482 Councilman Seroka, who – is the sponsor of the ordinance, please. So –

3483

3484 **MELANIE HILL**

3485 So back to what I was saying, before I got rudely interrupted. There are many Silverstone

3486 residents here in support of this bill. I don't know why Councilwoman Fiore can –

3487

3488 **MAYOR GOODMAN**

3489 No, no, no. Stay on your point. We see them. They're there.

3490

3491 **MELANIE HILL**

3492 Continues to read an email from Tom Masson saying the board is taking no position. Chrisa

3493 Chen, who is a member of the Board, sent you an email saying that she is absolutely in support

3494 of the bill. Mr. Masson's wife was here and had to leave. Another Board member, Bill Walter, is

3495 here in this room, and there are two people who are running for the Silverstone Board, Terry

3496 Strong and Renee McKean, who are also here. So, I don't understand why things are being

3497 misrepresented and why you're being lied to about the Silverstone Ranch Board, but I'm here to

3498 speak on behalf of myself.

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3499 And we started talking about bailouts. Not supporting this bill is a bailout of the developer who
3500 bought Badlands Golf Course.

3501

3502 **MAYOR GOODMAN**

3503 Okay.

3504

3505 **MELANIE HILL**

3506 Not supporting this bill is the bailout of Ron Richards and Michael Scheslinger, Ross Goodman's
3507 clients who bought our golf course. We should not be bailing out developers. We should not be
3508 making decisions as City Councilmembers so that we can line developers' pockets on the backs
3509 of the homeowners.

3510

3511 **MAYOR GOODMAN**

3512 Thank you.

3513

3514 **MELANIE HILL**

3515 The homeowners at Silverstone, myself included, bought my house with the expectation that I
3516 bought a house on a golf course. I do have a covenant that I live on a golf course community. I
3517 look at a boarded-up clubhouse, which the City has now boarded up even more to protect it from
3518 vagrants burning it down. But still, I look at a boarded-up clubhouse.

3519

3520 **MAYOR GOODMAN**

3521 Thank you. Thank you.

3522

3523 **MELANIE HILL**

3524 It is very distressing, as a Silverstone homeowner, to be dealing with this, and I don't want the
3525 City Council to think for some reason that this is just about Badlands.

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3526 **MAYOR GOODMAN**

3527 Okay. Thank you.

3528

3529 **MELANIE HILL**

3530 Mayor, as you read, there were people here who wanted to speak from Canyon Gate. There were

3531 people here that wanted to speak from The Lakes, and most people don't have the ability to take

3532 the entire morning off to be able to speak.

3533

3534 **MAYOR GOODMAN**

3535 Thank you.

3536

3537 **MELANIE HILL**

3538 So, I just want the Council to understand that this is just not a Badlands thing; it's about the

3539 residents of Las Vegas.

3540 **MAYOR GOODMAN**

3541 Thank you.

3542

3543 **MELANIE HILL**

3544 Thank you.

3545

3546 **MAYOR GOODMAN**

3547 Okay. So, I'm going to close public comment now and turn this over to Councilman Seroka.

3548

3549 **COUNCILWOMAN TARKANIAN**

3550 And, Madam Mayor, Councilman Seroka has given me a couple of minutes to talk. I have read

3551 through this bill many, several times, and I have to tell you, my ward primarily represents people

3552 such as you that are here from the union and are here from your homes. And the, one of the

3553 biggest problems I've had, as a Councilperson, is when things were built and things were

3554 promised, and they didn't take effect, then after the case, the people, such as you, come to me and

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3555 they say, hey, they didn't do what they were supposed to do, or this wall is too low or something
3556 like that. And we try and solve the problem.

3557 And so, I have always asked, can we have these types of things, for example, the traffic. We
3558 would be told, oh, there's, you don't need the traffic study until later. When later comes, we find
3559 out we have a whole lot of traffic, and the people who live in homes just like yours then come to
3560 me and we try and work our way out.

3561 So I'm glad to hear that we can now ask for that ahead of time. But, in reading this, I agree that
3562 before we have anything given to the developer, we have a neighborhood meeting. And you
3563 should agree for that too, because someday it may be you in some other area of town. We need
3564 those meetings, and it should be a must. And I've talked to other Councilmembers and they say,
3565 well, yeah, well, we can do that. We can, and I do do that in my ward, but I know it doesn't occur
3566 in every ward, because I know some of the people who live in the other wards have come to me
3567 and asked. So I don't see a problem there.

3568 And then I look at the other things. What, other than the fact that I think we go into minute detail
3569 on Page 6. I don't know if any of you have read this, but on Page 6, I mean, I don't know if a
3570 certificate of survey, it should cover all those things. I don't have that. All, maybe our lawyers do
3571 or Mr. Seroka does. And that might be too burdensome for a developer. And a couple of other
3572 things.

3573 But these, what is it that's so hard on the developer that's in this – ordinance? And I'm not talking
3574 about perception. You know as well as I know that the people that wanna be in the medical
3575 district, they're coming. They're coming now, and they're gonna come if this ordinance passes or
3576 not.

3577 And, but what I want to say is, I – can't understand why you also wouldn't want to have this
3578 coverage for you as a private citizen. What happens? People who have large developments
3579 coming up, yeah, they give us jobs, but also sometimes they do things to earn more money. And
3580 then, you know what? They have lobbyists that come, most of whom are pretty nice, but it's their
3581 job to convince us to go in the direction of the developer lobbyists instead of going with the
3582 resident who doesn't have a lobbyist. And so, that's why, I think, some of these things are very,
3583 very worthwhile. Demanding that meeting before, and I know the lobbyists here know that I do

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3584 do that, and they're wonderful to work with. But you can't count on it happening. And I just
3585 wanted to mention that first.
3586 I've gone through everything. On Page 6 and 7, there it lists a lot of different things you should
3587 have, they must submit. And I don't know about that. The lawyer would know, and Mr. Seroka
3588 would know. But other than those pages, what's so scary? What would scare a developer off?
3589 And why shouldn't we consider you as our residents? Why shouldn't we consider what you want
3590 too? Because it doesn't matter, I, and I'm not getting into Badlands, 'cause I'm trying to stay on
3591 the ordinance, counsel, I mean, counselor, and I'm trying to say on the ordinance.
3592 But I could see where this could give us, with some tweaking, I think it could give us a really
3593 good thing that would protect the widow that I couldn't help because, quite honestly, too much
3594 money came in and – people weren't paying attention to what we should have done. Those are
3595 the people, and those people are you. I represent you more than I represent very rich people. And
3596 I just wanted to say that, because I think that's critically important. Put yourself on the other side,
3597 and then see, what is so difficult? What is so difficult in this for them to follow?
3598 And the last thing, if I may ask a counselor one question. Thank you, I took more than two
3599 minutes, didn't I? Our lawyer, I just wanted to ask you, is this retroactive? Does this go back to, I
3600 mean, I haven't mentioned Badlands. I don't want to get into that much. But does that go back to
3601 any developer that already is in the process?

3602

3603 **VAL STEED**

3604 The – portions of the ordinance that talk about applying for repurposing apply going forward.
3605 They don't apply to things that are already in – process. The one aspect of it that some people
3606 might call retroactive, because remember the Earth existed before any laws do –

3607

3608 **COUNCILWOMAN TARKANIAN**

3609 Yes –

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3610 **VAL STEED**

3611 So, to that extent, all laws are retroactive. The one part of this ordinance that could be considered
3612 retroactive is somebody who has an open space that's not going to be used anymore as open
3613 space or a golf course that is not going to be used as a golf course or has been withdrawn as a
3614 golf course needs to propose, upon notice from the City, needs to propose a closure maintenance
3615 plan. It has to address all the issues. There's nothing in here that says they have to water every
3616 day. There's nothing that says it has to look like a golf course. But they have to address it.

3617

3618 **COUNCILWOMAN TARKANIAN**

3619 Well, it does say that you have to maintain it.

3620

3621 **VAL STEED**

3622 They have to address the maintenance, however they propose it, and they have to get that
3623 approved. That's the same kind of thing that we do with vacant properties.

3624

3625 **COUNCILWOMAN TARKANIAN**

3626 Right.

3627

3628 **VAL STEED**

3629 If you have a vacant property that's gone into foreclosure, the owner or the lender has to do that
3630 same thing right now and has had to for several years.

3631

3632 **COUNCILWOMAN TARKANIAN**

3633 Okay. Thank you so very much. I just wanted to mention it, those things that I mentioned,
3634 particularly about how it affects all of us. All of this affects all of us, and you don't know where
3635 you live what might come in that's really something you don't want. I think Ward 1 and maybe
3636 Ward 3 hear that all the time, and those are the people we represent and those are the people we
3637 fight for all the time.

3638 Sorry. Thank you.

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3639 **COUNCILMAN SEROKA**

3640 Well, thank you, Mayor. Wow, what a morning. It's great to have heard everybody's inputs as
3641 that is what's important in this process. Who'd – have known that people sitting down to help the
3642 community and looking at a process so that all the facts were on the table when somebody came
3643 before City Council would cause such an uproar. Who'd have known that when you say, talk to
3644 your neighbors and come forward with an agreement, which is part of this, that is step one. Talk
3645 to your neighbors. Come forward with what you've said. All those things are still in place.
3646 Actually, what this document represents is leadership, leadership in the Valley, leadership in our
3647 state. Actually, leadership in the nation for a one-of-a-kind document that Henderson took our
3648 example from, made even more rigorous and passed it already, taking the best practices from
3649 around the country for this kind of a situation and applying it here in our City as a
3650 comprehensive way to deal with a problem we know is coming. 'Cause what leadership, what
3651 leaders do is they look at that environment and they survey it and they see a problem.
3652 We see a challenge coming in our community. As we have grown to fill the Valley, there are
3653 fewer and fewer parcels to develop on the perimeter of the Valley, and developers, wisely, are
3654 looking to the interior for opportunities to develop inside the community.
3655 Leader, leaders create a vision, such as a comprehensive way to look at that problem. But they
3656 don't just come up with a vision. They provide the tool to achieve the vision. This document, by
3657 taking the best practices, does that, and the ultimate result is something that is good for our
3658 community. When we are considering building in the backyard, in somebody's backyard, 'cause
3659 that's what this is about. This is about building in land that was set aside by the City by
3660 requirement, promised to be open space, a planning term, not empty space. Much of what we've
3661 heard discussed today is empty space where something will be developed there. It's expected to
3662 be there, in Wards 1, 3 and 5. We expect that to be developed.
3663 This is designated open space, a planning term that when you develop a community you
3664 designate it as open space. And when your development agreement is completed, that's when this
3665 will, could kick in, not when you're in the process of developing, not while it's being developed.
3666 But once it's completed, it's moved on, people have established their homes, their biggest
3667 investment of their lives, have increased value because of that open space.

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3668 So first of all, this document protects our neighborhoods. It protects our quality of life, and it
3669 protects our property values. That's a win.

3670 Further, it provides developers, which I've heard from, I think, one developer, maybe two and the
3671 team of people that are financially associated with that developer speak today. I don't hear other
3672 developers in here today. But it provides developers transparency into what is required. It
3673 actually expedites the process for responsible developers. It creates opportunities for developers
3674 where there currently are none, because that open space is not open to be developed. It is those
3675 pieces of property where the City has promised it would be open space. So, that it is transparent
3676 for developers and creates an opportunity for jobs where there are no jobs now is a win.

3677 Further, it protects the integrity of this City, this body, our staff. Now our staff wrote this. Our
3678 experts in planning wrote this. Our experts interpreting the laws reviewed it. We took it all, they
3679 took it all into consideration. They are the ones that provided this document. So if you're
3680 criticizing it, you're criticizing the staff's research. You're challenging their knowledge of the
3681 rules you say that you're so familiar with. They're the experts. They wrote it. They put it together.
3682 So this protects the integrity of the City.

3683 As I said, it only addresses property the City has promised, has promised the community would
3684 remain open space into perpetuity. It has nothing to do with any other property that is empty
3685 space.

3686 That is a win. We have a win-win-win. Fifteen communities on record at the City Clerk have
3687 voiced their support via email over the months that this document has been in, under
3688 consideration. This is not just the first time this has been heard. Thank you for some of you that
3689 this is your first time here. Fifteen different communities has submitted their support.

3690 Yes, unfortunately, there's been litigation on this. Some of the things that have been brought up
3691 are under litigation, and the federal judge has denied those allegations. Some that were put on the
3692 record today, a federal judge has already reviewed because one of the people that believed
3693 they're being targeted sued to have members of this body be recused, and the judge said, that
3694 recusal is denied. Already ruled in federal court. Why it's continued to be discussed here? I don't
3695 know.

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3696 So what we have before you is an honest, fact-based, fully researched document put together by
3697 the experts of the City staff. Your comments were acknowledged by the City Attorney. It is
3698 caveated as all of our documents of this type with penalties for breaking the law. When we,
3699 unbeknownst to many, a bill, when it is approved, becomes an ordinance, becomes the law.
3700 When you break a law, there are consequences. Nothing unusual about that. I think, you don't
3701 need to be a lawyer to understand that. It's just associated with this document. That is all.
3702 So in an attempt to help our community with a comprehensive approach to what we know is
3703 coming, to help our community protect our homes, protect our people, I move to approve this
3704 ordinance, and I ask the, my colleagues to support the people, to support their constituents and,
3705 further, support smart development to provide jobs where currently there are none. So, Mayor, I
3706 move to approve Item Number 50, and I'm being counseled here or something.

3707

3708 **TERI PONTICELLO**

3709 The Proposed First Amendment.

3710

3711 **COUNCILMAN SEROKA**

3712 I move to approve Item 50 with the Proposed First Amendment, which is included in the
3713 document.

3714

3715 **COUNCILWOMAN FIORE**

3716 Mayor? Mayor, before the vote, before we vote –

3717

3718 **COUNCILMAN SEROKA**

3719 So, with that –

3720

3721 **COUNCILWOMAN FIORE**

3722 Wait, before we vote –

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3723 **COUNCILMAN COFFIN**

3724 If there is a vote –

3725

3726 **COUNCILWOMAN FIORE**

3727 Yeah.

3728

3729 **MAYOR GOODMAN**

3730 All right. So there's a motion.

3731

3732 **COUNCILMAN SEROKA**

3733 Thank you.

3734

3735 **COUNCILWOMAN FIORE**

3736 So, and I just have, waiting on Bryan Scott to read some things. I think that, in light of the truth
3737 that's been brought forth, I am waiting on Bryan Scott before we make this motion to make sure.

3738

3739 **MAYOR GOODMAN**

3740 He just came out.

3741

3742 **COUNCILWOMAN FIORE**

3743 Great.

3744

3745 **COUNCILMAN COFFIN**

3746 He's waiting for you.

3747

3748 **COUNCILWOMAN FIORE**

3749 Where is he? Okay. So I just need a minute.

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3750 **COUNCILMAN CREAR**

3751 Madam Mayor, do you mind if I make a comment?

3752

3753 **MAYOR GOODMAN**

3754 Please.

3755

3756 **COUNCILMAN CREAR**

3757 Thank you. Through you, Mayor, one, I want to set a couple of things straight. One, we've
3758 mentioned Ward 5 in this conversation a number of times. Ward 5 is moving forward. We are
3759 developing. We are bringing in jobs. We're bringing in industry. We are bringing in developers.
3760 We are gonna get shovels in the ground, cranes in our area, not only in the entire Ward 5, but in
3761 the historic West Side. We're going to execute on our hundred (sic) plan, which is our strategy to
3762 develop our underdeveloped areas. So we are moving forward, whether this passes or this does
3763 not pass.

3764 And then, for clarity, the, this ordinance does not, the open space ordinance does not apply to
3765 vacant land that's in Ward 5. I want you guys to realize that, and that is important because there's
3766 been some accusations or innuendos to say that this would affect the open land in Ward 5, and
3767 that's not, that's not valid.

3768 You know, I haven't heard from any developers, except for one, regarding this. I know that the
3769 Southern Nevada Home Builders Association is in favor of this. I know that NAIOP, which is the
3770 real estate organization that is, that – governs this, the commercial real estate development
3771 association is in favor of this.

3772 And it seems as though if you've read the ordinance, and I'd be interested to know how many
3773 people in this – chamber have actually read the –, read it. I'm not asking for hands. I'm saying
3774 that I urge you to read it before you pass judgment on where we are with this. If you do read it
3775 and if you did know about the ordinance that's currently in place, 90 percent of this document is
3776 already in place now. We already require the majority of this for developers to come into
3777 communities for open space for golf courses to do the things that is being required in here. So it's
3778 not much has changed, and I think that's important for – you to know, because it's not some

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3779 drastic change that – is going to make a huge, monumental, earthshaking difference, and if a
3780 developer is going to come into an area to develop or not come into an area to develop. So, that's
3781 another one.

3782 About the \$1,000 fine, which was mentioned about people going to jail or so, I think it's
3783 important for you to realize that is boilerplate information that is in all of our ordinances. If you
3784 look back at our last meeting, we had a, we had a pigeon ordinance that was in place, and in
3785 there, you'll go to the back, and it'll say that if you, you'll be fined \$1,000 and subject to
3786 imprisonment of a term for no more than six months or by any combination of such fine and
3787 imprisonment.

3788 That's boilerplate. That's not someone who just put this in for this particular ordinance. I think
3789 that's important to– know. So when you think about people are gonna get thrown in jail, I don't
3790 believe, I have been in this City a long time, but I've only been a Councilman for a little bit, of
3791 anybody who's really got – thrown in jail. We have mitigated a lot of civil penalties for people,
3792 even people for short-term rentals that have tens and tens of thousands of dollars of fines, and I
3793 don't believe that we've thrown anybody in jail. So, that is somewhat rhetoric that is, that is being
3794 put out there to put the fear in people that this is going to stop them from developing once again.
3795 One other thing is that Director Summerfield, if you can, yes, you heard your name, if you can
3796 come up here and give me that explanation about Public Works. And, one of the things that have
3797 (sic) changed is regarding moving forward with – documentation for wildlife or water drainage,
3798 and it's my understanding that if Public Works says that you do not have to bring that forward to
3799 Council, you do not have to. So it's really, Public Works is going to decide if this comes forward
3800 in that capacity, correct?

3801

3802 **ROBERT SUMMERFIELD**

3803 Madam Mayor, if I may, through you, yes, Councilman Crear. So, to be clear, those studies that
3804 are indicated in the ordinance that would be required at time of application for entitlement,
3805 Public Works will determine, based on the intensity of the proposed project, the extent that those
3806 studies are required, just like they do today.

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3807 **COUNCILMAN CREAR**

3808 Right.

3809

3810 **ROBERT SUMMERFIELD**

3811 As a part of their review of any project, they determine if it meets the vehicle trips generated, so

3812 whether it needs a traffic study, whether a traffic light will be needed, those kinds of things.

3813 Same thing with sewer, same thing with drainage. So it really will be on a per project basis to

3814 determine the intensity of the proposed project, which studies will actually be required for any

3815 given project. So, again, it really will be at time of the applicant coming to us for the pre-

3816 application process for us to be able to clearly delineate, okay, you will need a traffic study.

3817 Therefore, you're repurposing an open space, that traffic study will be needed in order to submit

3818 your application.

3819

3820 **COUNCILMAN CREAR**

3821 Great. And – so, to be clear, that's in place now, correct?

3822

3823 **ROBERT SUMMERFIELD**

3824 No, Sir. So that is a part of the new, the, Public Works making a determination on whether a

3825 study is required or not –

3826

3827 **COUNCILMAN CREAR**

3828 Yes.

3829

3830 **ROBERT SUMMERFIELD**

3831 That is standard practice. That is in place.

3832

3833 **COUNCILMAN CREAR**

3834 That's what I meant. Right. That's what I meant. That's it.

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3835 **ROBERT SUMMERFIELD**

3836 The, when it would be required, that would be new for this ordinance.

3837

3838 **COUNCILMAN CREAR**

3839 Okay. Right. It would – be required when, and speaking of the when, you know, I was on the

3840 Planning Commission for two years, and we've had so many developments similar to what

3841 Mayor Pro Tem has stated that we have approved and then come to find out there are issues.

3842 Sometimes you put a review on them. They have to come back. Hopefully, they play nice in the

3843 sandbox and do what they say they're going to do. And then they – move forward, everybody

3844 wins.

3845 But there have been times, many a times (sic) where they've come back and there have been

3846 issues of developers who said they weren't supposed to develop on this particular land, that

3847 they've done their soil samples, that they've done their water analysis, they've done these things,

3848 and they, and they have not. And so, to do it upfront, I think seems to be a more streamlined

3849 process. And then by the time, if it comes to Council, based off of Public Works' decision, that's

3850 an if, because it might not come to Council based off of what Public Works says, then we'll be

3851 able to make a better determination, because we do come back. If you've spent any time at our

3852 Planning Commission meetings or our City Council meetings, you've heard us say: Have you

3853 had a neighborhood meeting? Have you done your traffic studies? How is it going to affect the

3854 school system? The different things.

3855 And, as Director Summerfield has said about the 3-D modeling, that's something that the

3856 industry is moving towards, period. It's not special to this particular ordinance. That is an

3857 industry move that 3-D modeling is – part of something moving forward; is that also correct?

3858

3859 **ROBERT SUMMERFIELD**

3860 Through you, Madam Mayor, yes, Councilman. So, through our research, again, many of the

3861 developers we already see they generate these models as a part of their presentations. You see

3862 them, documented in –, on their boards that they submit for you all to see their projects.

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3863 Occasionally, you've actually seen them in – PowerPoint presentations. So many developers are
3864 doing those as a part of their construction process or their design process to begin with.

3865

3866 **COUNCILMAN CREAR**

3867 Right. So, once again, not specific to this particular ordinance. You know, it seems as though
3868 today we are re, many here have taken it upon themselves to reopen the – Badlands situation, and
3869 that's unfortunate, because today's ordinance is not about Queensridge or Badlands and about
3870 what was required and what wasn't required, a general plan amendment or a major modification,
3871 or what this attorney said or what this lawyer said. It wasn't about that today. You know, it was
3872 about an open space ordinance that's going to try to push the development of our City forward
3873 and also to provide more information upfront to residents and to neighbors versus to try to hinder
3874 development.

3875 You know, I'm a – small business owner. I'm all about employing people. I think that people
3876 deserve an honest, you know, day's work, an honest wage. I do believe that a developer should
3877 have the opportunity to – reap his benefits and – make some money off of – the development. I
3878 always say there's no shame in making money. And so, far from development, far from trying to
3879 keep people from not working, I am a hundred percent in favor of that. And so, it's unfortunate
3880 that – some of those subtopics have come out. But I just wanted to get that on the record.
3881 We are moving forward in Ward 5. I urge you guys to come over and join us. We got a lot of
3882 great things happening. Thank you.

3883

3884 **MAYOR GOODMAN**

3885 Okay. Any other, one more question.

3886

3887 **COUNCILWOMAN FIORE**

3888 Thank you. So, Mr. Summerfield, while you're still there, I just really need to clarify, because
3889 number one, as a former legislature (sic), words mean a lot of things, and what my –
3890 Councilmember next to me, Crear, just said in this particular ordinance, is he said that it's \$1,000
3891 a day and up to six months. The way I read this it's \$1,000 a day and six months per day for

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3892 every day – you're out of compliance. That's a very big difference. But, if you're not paying close
3893 attention to legislative intent or written words, that could make a big difference. So, are we going
3894 to fix that, or what does it actually say? Up to or six months per day?

3895

3896 **ROBERT SUMMERFIELD**

3897 Madam Mayor, if I may, actually, I'll refer that to our attorneys. Again, as the Councilman
3898 iterated, it is boilerplate that's a part of every ordinance that – I have worked on since I've been
3899 with the City for the last 13 years. But I'll them tell about the actual intent.

3900

3901 **COUNCILWOMAN FIORE**

3902 So, I want the actual words, not intent.

3903

3904 **VAL STEED**

3905 Are you ready for me to read all of Section 7, which I'm happy to do for you.

3906

3907 **COUNCILWOMAN FIORE**

3908 Go right, I just, in the – jail sentence, okay, perfect.

3909

3910 **VAL STEED**

3911 Yeah. I will – read the jail and the fine to you.

3912

3913 **COUNCILWOMAN FIORE**

3914 Okay. Yeah, put that in the record.

3915

3916 **VAL STEED**

3917 Whenever – in this ordinance any act is prohibited or is made or declared to be unlawful or an
3918 offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the
3919 failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the
3920 doing of such prohibited act or the failure to do any such required act shall constitute a

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3921 misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$1,000
3922 or by imprisonment for a term of not more than six months, or by any combination of such fine
3923 and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.
3924 And the Councilman is correct. That is boilerplate language. You will find it in the front of the
3925 Municipal Code that applies to every violation whether or not it shows up in individual
3926 ordinances. Sometimes judges like to see the penalty clause in individual ordinances to make
3927 sure that the Council intended the criminal penalties be assessed or be available, and that's why
3928 you find it in here, just like most of our ordinances.

3929

3930 **COUNCILWOMAN FIORE**

3931 Thank you.

3932

3933 **MAYOR GOODMAN**

3934 Okay. And, Mayor Pro Tem.

3935

3936 **COUNCILWOMAN TARKANIAN**

3937 Did that answer your question then? It's \$1,000 a day, isn't it?

3938

3939 **COUNCILWOMAN FIORE**

3940 Yeah, it's \$1,000 a day, and it just really, again, this – open space ordinance, Mayor Pro Tem, is,
3941 golf courses are open space, but open space is not golf courses. And this is a very dangerous
3942 slippery slope for all wards. And again, if Councilmember Steve would like to make a Badlands
3943 ordinance, great. But his ordinance affects mine and it affects the City. And I, I'm really asking
3944 you to please not vote with him on this.

3945

3946 **COUNCILWOMAN TARKANIAN**

3947 Well, the reason why I'm voting with him on this is because these are things that I would like to
3948 have before I vote. And these are things I need to know, and I want to make it tight so that the, I
3949 have a place right now where they have a park and they want to get rid of the park and they want

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3950 to put more housing. And the people who live around there say: What are you doing to us here?
3951 It's just a little pocket park. You know? There are people, what I call the extraordinary ordinary
3952 people.
3953 And, but – anyway, I have one question, again, from (sic) the attorney, and that is, I – know this
3954 doesn't deal with the Badlands. This deals, and that's how I viewed it. I viewed it as how it would
3955 fit in with what we're doing, across the board. But I want to know, is, Badlands has already
3956 started theirs. So, do they stay under the old rules, or do they have to go to the new rules? There
3957 was confusion, as I understand, when they started, they didn't know they needed to have some
3958 things. Since then, they got them, as far as I understand, from Planning, but that's what I need to
3959 know.

3960

3961 **VAL STEED**

3962 Okay. Let me, the Badlands property, or the former Badlands property is treated under this
3963 ordinance just like every other ordinance. If there's an application in process already before this
3964 ordinance is adopted, then the practice has been to treat those applications under the existing law.
3965 The City would have the same ability to do that. If you come forward with an app, if you don't
3966 come forward with an application till after this is adopted, whether it's the former Badlands
3967 property or any other property, then you're subject to the ordinance.

3968

3969 **COUNCILWOMAN TARKANIAN**

3970 And – I understand that. That's if it's after we vote on this.

3971

3972 **COUNCILWOMAN FIORE**

3973 Mayor Pro Tem, you –

3974

3975 **COUNCILWOMAN TARKANIAN**

3976 My question is, if I could just finish, because I –

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3977 **COUNCILWOMAN FIORE**

3978 But you're, you just confused me.

3979

3980 **COUNCILWOMAN TARKANIAN**

3981 I confused you?

3982

3983 **COUNCILWOMAN FIORE**

3984 Yeah, because he told you it's retroactive before.

3985

3986 **COUNCILWOMAN TARKANIAN**

3987 It's for what?

3988

3989 **COUNCILWOMAN FIORE**

3990 Retroactive. We talked about this.

3991

3992 **COUNCILWOMAN TARKANIAN**

3993 He did tell me that. And my question is –

3994

3995 **COUNCILWOMAN FIORE**

3996 Yeah, but now he's telling us it's not.

3997

3998 **VAL STEED**

3999 Let me go back to that.

4000

4001 **COUNCILWOMAN TARKANIAN**

4002 My question is why is this retroactive and my short-term rental, in order to protect those people

4003 who had committed a certain way, is not? You know, we – make sure that we let them go under

4004 the rules they started with. We do that lots of times.

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4005 **VAL STEED**

4006 Let's – remember what I said.

4007

4008 **COUNCILWOMAN TARKANIAN**

4009 Okay.

4010

4011 **VAL STEED**

4012 I said some people like to call this retroactive legislation. And because it's been brought up, I felt
4013 it important to address it. Retroactive typically means that you, that a rule is in place before
4014 you're subject to it. So, when you change the speed limit, if you sped the day before it was
4015 changed, you're not subject to it.

4016 Land – regulations are a little bit different because land was always there. But you typically say,
4017 when you own property and we adopt a new land-based development regulation, your future
4018 applications are going to be treated under the new law. Your existing approvals are treated under
4019 the old – law.

4020

4021 **COUNCILWOMAN TARKANIAN**

4022 Oh. Then okay, our existing –

4023

4024 **VAL STEED**

4025 So, it's a label that people like to use for whatever they want to use it for. I can't – fix that for
4026 you.

4027

4028 **COUNCILWOMAN FIORE**

4029 Okay. So then in the language, when you said that we've got developers exempt, so in this new
4030 open space ordinance, as of today, it only applies to the Badlands; is that correct? And not my
4031 ward; is that what you're telling me?

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4032 **VAL STEED**

4033 No, it applies to all the wards. It applies to all wards. I don't know how to say that more plainly.

4034

4035 **COUNCILWOMAN FIORE**

4036 Well, I just want to be clear, because, you know, it's really, it's not –

4037

4038 **VAL STEED**

4039 Would it change your vote if I were to say it doesn't apply to your ward?

4040

4041 **COUNCILWOMAN FIORE**

4042 This is a bad ordinance.

4043

4044 **VAL STEED**

4045 You're gonna vote against it, so just vote.

4046

4047 **MAYOR GOODMAN**

4048 Okay. All right. So, you're right out there. Thank you very much. There's a motion. (Addressing
4049 the audience) Everybody, please –

4050

4051 **COUNCILWOMAN FIORE**

4052 You know what, Mr. Attorney, that was really inappropriate, and I'm going to tell you, right
4053 now, the attorneys work for the Council.

4054

4055 **MAYOR GOODMAN**

4056 No, no, no. Wait, wait, wait. Please, please, everybody. Please.

4057

4058 **COUNCILWOMAN FIORE**

4059 And really and truly, I'm really not okay with you right now.

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4060 **MAYOR GOODMAN**

4061 Please. Please. All right. There is a motion. There is a motion on the floor. There are no more
4062 comments.

4063

4064 **COUNCILMAN COFFIN**

4065 No, Your Honor, don't deny them.

4066

4067 **MAYOR GOODMAN**

4068 We are going to vote on this.

4069

4070 **COUNCILMAN COFFIN**

4071 Don't deny –

4072

4073 **MAYOR GOODMAN**

4074 Nope. Sorry. Please vote. Everybody, please vote.

4075

4076 **COUNCILMAN COFFIN**

4077 You've run it the way you wanted to, so I guess you might as well continue.

4078

4079 **MAYOR GOODMAN**

4080 Right. So please vote. It sounds like it's passing anyway. So it's done.

4081

4082 **COUNCILWOMAN TARKANIAN**

4083 While we're voting, I just want to say thank you for, if I could, through the Mayor, say thank you

4084 from all of us for your interest in these things. This is the way we make improvements. This is

4085 the way we protect our residents, and so thank you.

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4086 **MAYOR GOODMAN**

4087 So, thank you. Thank you all, and I appreciate all of you spending the morning with us, and we
4088 appreciate your energy.

4089

4090 **COUNCILMAN COFFIN**

4091 Your Honor?

4092

4093 **MAYOR GOODMAN**

4094 Your, just a minute, please. Your energy, your coming down and spending the time and making
4095 yourselves heard. We appreciate it. That is the participation in your government. So, thank you.

4096 That motion carries. **(Motion to approve as a First Amendment carried with Goodman and**
4097 **Fiore voting No and Anthony excused.)**

4098 **(END OF DISCUSSION)**

4099 /do;gpb

Exhibit 110

**RECOMMENDING COMMITTEE MEETING OF
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Bill No. 2018-24 - ABEYANCE ITEM - For possible action - Amends LVMC Title 19 (the Unified Development Code) to adopt additional standards regarding the repurposing of certain golf courses and open spaces, and to consolidate those provisions with previously-adopted public engagement provisions regarding such repurposing proposals. Sponsored by: Councilman Steven G. Seroka

Appearance List:

STAVROS S. ANTHONY, Councilman/Chair
VAL STEED, Chief Deputy City Attorney
BOB COFFIN, Councilman
NAT HODGSON, Southern Nevada Home Builders Association
STEPHANIE ALLEN, 1980 Festival Plaza Drive, on behalf of the property owners of the former Badlands Golf Course
TOM PERRIGO, Executive Director of Community Development
CRAIG NEWMAN, on behalf of Vegas Ventures, LLC
ANNE SMITH, Queensridge resident
MICHELE COMEAU, Queensridge resident
ELAINE WENGER-ROESENER, 9811 Orient Express Court
MELANIE HILL, homeowner at Silverstone Ranch
PAT SPILOTRO, Silverstone Ranch resident, 8177 Bay Colony
JOHN BOKA, Queensridge resident
STEVE CARREA, resident of 1 Queensridge Place condo complex
TERRY STRONG, Silverstone Ranch resident
DAN BURDISH, Special Assistant to Michele Fiore
LOIS TARKANIAN, Councilwoman

(45 minutes, 26 seconds) [00:9:35 - 00:55:01]

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003364

7576

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28 Typed by: Speechpad.com

29 Proofed by: Jacquie Miller

30

31 **COUNCILMAN ANTHONY**

32 Okay, Item Number 4. This is Bill No. 2018-24 possible action. It's an abeyance item. It amends
33 LVMC Title 19 to adopt additional standards regarding the repurposing of certain golf courses
34 and open spaces to consolidate those provisions with previously adopted public engagement
35 provisions regarding such repurposing proposals.

36 So, this bill has been in front of the Recommending a few times, and it's been abeyed a few
37 times. We're – supposed to hear it today, and it's on the agenda for Wednesday at our City
38 Council meeting for a vote. So, unfortunately, Councilwoman Fiore will not be at the meeting in
39 two days, and she has requested that we at least send this bill out of this Recommending
40 Committee to the first meeting in November for final, for – look by the Las Vegas City Council.
41 I'm not, I personally am not prepared today to make a recommendation on whether I would vote
42 up or down on this at the City Council meeting. I'm not sure how everybody feels up here. I
43 would rather personally send this to the City Council without our recommendation and let the
44 City Council deal with it, and my intent would be at the meeting on Wednesday to abey the City
45 Council vote til the first meeting in November, and at that meeting we'll have a hearing. I'm
46 assuming we'll have a public hearing, 'cause people are gonna wanna show up and speak on it at
47 that particular date. So that is, that's my feeling on it. This is a public hearing, though, so I'll open
48 it up for public comment.

49

50 **VAL STEED**

51 Mr. Chair? Mr. Chair?

52

53 **COUNCILMAN ANTHONY**

54 Yes, Val.

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55 **VAL STEED**

56 Yes, what I wanted to do is – go through the changes that are in the proposed First Amendment.
57 Many have seen them, many have not. There should be copies out there for those who are
58 available. The (sic), there's a copy in your backup that has the clean text of the amendment, and
59 I've also provided Council members, Committee members as well as for the public who wants to
60 come up and look, a highlighted version.

61 Just wanted to take you through the changes that were made. We received requests from the
62 Home Builders, from NAIOP in contact with the sponsor of this bill. So I wanted to draw your
63 attention on your, on your highlighted copy. I just wanted to go through, even though your
64 intention appears not to do anything other than move this along, I wanted for the record to point
65 out what changes have been made.

66 On Page 2, we added an exception to the entire section about repurposing.

67

68 **COUNCILMAN COFFIN**

69 Are we looking at the white copy?

70

71 **VAL STEED**

72 Yes.

73

74 **COUNCILMAN COFFIN**

75 Has that been online?

76

77 **VAL STEED**

78 Yes, but not on, it - has been online, but not in highlighted form. So if you'll turn to Page 2, I'll
79 show, I – want to point out the changes that have been made. Exception was added, Exception 5.
80 This entire section on repurposing of golf courses and open spaces does not apply to any
81 currently, to any currently required, currently required development application or applications
82 that have already been approved by the approval authority with no further discretionary approval

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83 pending. That was to let people know our standard practice. If you've been through the process,
84 it's not going to apply to your applications.

85

86 **COUNCILMAN COFFIN**

87 (Inaudible)

88

89 **VAL STEED**

90 The next changes are on Pages 4 and 5. You'll see that there are a few instances where the word
91 "any" has been added in, highlighted. That's to acknowledge, it's just a correction that was
92 required, that we should have made when the original, initial version, phase one, went through.

93 As you remember, the Council decided not to require any design workshops. It was gonna be up
94 to the developer. So this simply changes those references to design work, workshops if they're
95 going to report if they had any design workshops the information that pertained to those.

96 On Page 6, a change that was requested, as may be amended from time to time, and that refers to
97 the land use and rural preservation element to the Las Vegas 2020 Master Plan. There is a desire
98 to have that take into account that that plan gets amended from time to time. That was not an
99 objection.

100 On Page 7, Line 20 it was requested that we include a – density or intensity exhibit instead of
101 just a density exhibit. "Density" is the term that's typically required to residential development,
102 and I believe the addition of the word "intensity" was to take into account applications for non-
103 residential development, which is the appropriate term for that kind of development.

104 At the bottom of Page 7 and following up two other places on Page 8, there were three types of
105 submittals that initially were required for all projects having to do with an environmental
106 assessment, having to do with conceptual master studies, and having to do with a 3D modeling.

107 It was decided that those requirements wouldn't be necessary for smaller projects. So this
108 establishes for each of those submittals a one acre or more threshold. If you one, if you have less
109 than one acre, you wouldn't be required to submit those right up front, which is what the other
110 larger developments would have to do.

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111 On Page 9, this was requested by the Homebuilders, if you've got a development that has
112 CC&Rs that address repurposing of golf courses or open space in any manner, then the
113 requirements of Subsection K of this section, which are the development standards, won't be
114 applied to those. The desire was to allow those aspects to be governed by the CC&Rs, and so that
115 provides an exemption for them.

116 On Page 10, there was concern about how the closure maintenance plan, which is the plan that's
117 required to be filed when you have closed or withdrawn open space or golf course development,
118 there was a requirement that a plan had to be submitted how you're gonna maintain that. There
119 was concern that, somehow, if something had already been closed, that the Council would ask
120 for those, the maintenance to be required to the same level it was when it was discontinued. That
121 obviously won't work so it provides that where the continuance, the discontinuance of the golf
122 course, the withdrawal of open spaces happened before this ordinance became effective that,
123 rather than having it be the maintenance level at the time of discontinuance and withdrawal, it
124 would, something that would be proposed by the applicant and worked out in connection with
125 the Department of Planning.

126 I believe those are the – changes that were made between the initial version and the, and the
127 proposed First Amendment.

128

129 **COUNCILMAN COFFIN**

130 Mr. Chairman, through you to Counsel. Val, does the sponsor of the bill approve of these
131 changes?

132

133 **VAL STEED**

134 Yes.

135

136 **COUNCILMAN COFFIN**

137 All right, thank you.

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138 **COUNCILMAN ANTHONY**

139 Okay. Thank you, Val. I appreciate that. So we have Bill No. 2018-24 with a First Amendment,
140 so who would like to come up and make public comment here? Come on up, state your name,
141 and tell us what you're thinking.

142

143 **NAT HODGSON**

144 Good morning, Mayor Pro Tem, Council. Nat Hodgson for the record with the Southern Nevada
145 Home Builders Association. As placed on the record previously, SNHBA has been at the table
146 since October 2017 on this issue with – the City. We've consistently focused our comments and
147 position on the scope of the ordinance, and we appreciate the sponsor as well as staff working
148 with us to make sure the exemptions limit, as much as possible, the unintended consequences
149 that could come out of this.

150 With the proposed First Amendment and the changes, specifically in Section B, Subsection 5 on
151 Page 2, exempting development, developments where the repurposing of open space has already
152 been approved, and Section F, Subsection 4 on Page 9 exempting communities that have CC&Rs
153 that address how to handle your open space repurposing. At the Advisory Panel meetings at the
154 end of last year and the beginning of this year, we asked multiple times for a minimum acreage
155 limit, so we appreciate seeing the under one acre limit put in there as well.

156 We just want to point out that this thing does move forward, even with these exemptions, that it
157 will be, it will put some barriers in front of the developer who does want to purchase and develop
158 the – open space. But we do appreciate the City and staff. We know this has been a pretty big
159 ordeal, but we appreciate them working with us, and we appreciate the First Amendment. Thank
160 you.

161

162 **COUNCILMAN ANTHONY**

163 Thank you.

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164 **STEPHANIE ALLEN**

165 Good morning, Mr. Chairman, Council, members of the Council. Stephanie Allen, 1980 Festival
166 Plaza Drive, here on behalf of the property owners of the former Badlands Golf Course. I'll be
167 brief. We remain opposed to this ordinance as we believe that the ordinance is targeted directly
168 at the former Badlands Golf Course properties.

169 I do have a letter that I'll submit for the record, that will go to the entire City Council today
170 outlining some substantive objections to the ordinance. But the main concern again is the
171 targeted and unconstitutional nature of the ordinance as we believe again that it's directed
172 specifically at the former Badlands Golf Course.

173 At the last Recommending Committee, we did ask or someone asked the question of staff, how
174 many properties would, in fact, fall under this ordinance, and I don't think staff had done the full
175 analysis, but there were 292 properties that they referenced would be intended to fall under this
176 ordinance. We did that analysis, and I'll submit it for the record, but of those 292 properties, 279
177 of them are separate APNs, and 13 of them are golf course properties. Of those, 274 of them
178 have CC&Rs, PD zoning, PC zoning, or in, are in some special area, special planning area, so
179 they're exempted out under the version that's before you today.

180 In addition to that, there are 16 properties that are owned by the City and controlled by the City,
181 so that narrowed it down to two properties. Out of the 292 parcels that the city provided, two
182 properties remain. One of them is the former Badlands Golf Course, and if I could direct your
183 attention to the overhead, the other is actually, interestingly, in Peccole Ranch. It's this little pink
184 area here. It's a wash, that a portion of it, this portion over here, is owned by the HOA. This
185 portion is still under the Peccole Trust, and our clients spoke to them. I guess they're in the
186 process of trying to get that converted over to the HOA. So if that were converted to the HOA, it
187 too, would be exempt under this ordinance, and then again we're back to one specific property
188 that this ordinance will actually apply to with all the exemptions that are put into the ordinance.
189 So there's significant concern. Obviously, it's unconstitutional to pass laws that are targeted at
190 one particular property owner, and there are serious ramifications for the City if it were to
191 impose such a law.

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192 So I will submit this into the record along with the letter to all the members of Council and let
193 our objection, I guess, remain. Thank you.

194

195 **COUNCILMAN ANTHONY**

196 Thank you.

197

198 **COUNCILMAN COFFIN**

199 Mr. Chairman, Mr. Chairman? I need to know what the objections are. Don't just hand us a letter,
200 Stephanie. It should be really easy to highlight the objections in your letter, in other words,
201 because this is such a sensitive (sic) thing these days with who can vote, who cannot vote, all
202 these lawsuits passing back and forth. Is there a discussion on who's eligible to vote or in any
203 way in that letter?

204

205 **STEPHANIE ALLEN**

206 No. My, our, my letter is specifically, I don't represent any of the litigation matters. We, we're
207 their zoning counsel, so the letter that I just submitted are all the concerns we've raised at a
208 number of hearings before. I'm happy to go through them, but the main one is the targeted nature
209 of the zoning ordinance, and then, substantively, if it were to apply to all those 292 properties, I
210 think it's fairly anti-development. There's requirements in there now, they've been changed to any
211 property over one acre, but requirements that you do a 3D model and all of your master studies
212 and a lot of the things that are not required in the City of Las Vegas currently for developers, that
213 would be required on the front end and cost developers throughout the City of Las Vegas
214 hundreds of thousands of dollars before they can even get to a pre-submittal conference. So from
215 an overall development perspective, if it were to apply to the entire development community, it's
216 – a very onerous and financially burdensome bill. Additionally, it impacts lenders. So if someone
217 were to rely on, like in the Badlands situation, a zoning verification letter before they buy a piece
218 of property and then be subjected to all of these additional meetings and additional (sic) onerous
219 requirements prior to a submittal of an application or prior to being able to do what they want

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220 with the property, lenders' values on their collateral could be substantially decreased. That's a
221 concern.

222 I can go through the whole list if you'd like. I've put it on the record a number of times, but
223 there's-

224

225 **COUNCILMAN COFFIN**

226 If I could just ask one more question. Thanks, Steph.

227

228 **STEPHANIE ALLEN**

229 Sure.

230

231 **COUNCILMAN COFFIN**

232 Thank you, Mr. Chairman. Just wanted to make sure I understand this correctly, because, as I

233 understand it, the City Council has not approved anything at the former Badlands Golf Course.

234 That, in fact, the courts have rejected that and the Council has affirmed the decision of the court.

235 So there is no, nothing pending right now. Is that fair to say?

236

237 **STEPHANIE ALLEN**

238 There's a number of lawsuits. I believe you guys approved one project, denied one project. Both

239 are still either on appeal or moving through the court system is my understanding.

240

241 **COUNCILMAN COFFIN**

242 Okay. All right.

243

244 **COUNCILMAN ANTHONY**

245 Okay. So if I heard you correctly, you – mentioned 292 parcels you believe are affected by this

246 ordinance in the City. Is that right?

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247 **STEPHANIE ALLEN**

248 Well, it's 292 parcels that your staff gave us the list of. We went through that analysis-

249

250 **COUNCILMAN ANTHONY**

251 Okay.

252

253 **STEPHANIE ALLEN**

254 -and it narrowed down to two that remain after all the exemptions that have been put into the
255 ordinance. So of those 292, they are all subject to either CC&Rs, they're owned by the City, they
256 have deed restrictions on them, so they wouldn't be subject to this ordinance. There's two that
257 remain.

258

259 **COUNCILMAN ANTHONY**

260 Okay. So as – Ronald Reagan said, trust but verify. So Mr. Perrigo, I – would like to know if
261 that's an accurate statement, that, just so I – can verify that 292 parcels, this ordinance would
262 affect just those two. You don't have to do it today, 'cause I don't, 'cause we're moving this to
263 the City Council, so, but, eventually, I would need to know that.

264

265 **TOM PERRIGO**

266 Yes, sir, and I think that would require that staff would have to review all of those CC&Rs for all
267 of those HOAs. So that would be a huge task to see if they in any way mention repurposing. And
268 so I think that's the process, but I'm looking at the Deputy City Attorney for confirmation.

269

270 **VAL STEED**

271 Yeah, I think that's – a fair statement. Let me also point out that there are very few properties that
272 are exempt entirely from this ordinance, notwithstanding what Ms. Allen says. Most of those
273 open spaces are subject to some aspect of the ordinance. There are some exemptions for CC&R
274 properties from one subsection. And even though everyone acknowledges that Badlands was the

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275 impetus for this ordinance, almost every ordinance you pass is brought to your attention by a
276 specific example.
277 This ordinance was not written to talk about one golf course. It was written to talk about all golf
278 courses that could ever come within its provisions, and even though we can't name a bunch of
279 those, someday any of those could become subject to the provisions. The City could get rid of its
280 golf courses, which would then take it out of the exemptions. Those open spaces that are
281 currently exempt from some provisions could become eligible for more provisions depending on
282 what happens within it. We legislate for the future. So just to point out that we will do that
283 analysis, but it's not quite the way Ms. Allen represents, respectfully.

284

285 **COUNCILMAN ANTHONY**

286 Okay. Well, if I, if I could, if you could do some kind of analysis and just give me an idea of
287 what you're – thinking and how it compares to what's been made at public comment, that would
288 be helpful.

289

290 **TOM PERRIGO**

291 Thank you, and just to be clear, Mr. Chairman, I will follow up with the, Mr. Steed and have
292 some analysis for you, but it's unlikely that we're gonna go through all of those CC&Rs
293 specifically, but we will do further analysis. But I – completely agree with Mr. Steed. I mean
294 those, again, respectfully, with what Ms. Allen was saying, those properties will likely be subject
295 in some form or fashion to some of the provisions within this, within this text amendment, this
296 ordinance.

297

298 **COUNCILMAN ANTHONY**

299 Okay, great. All right. We'll have that conversation. All right, thank you.

300

301 **STEPHANIE ALLEN**

302 Thank you. Appreciate it.

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303 **COUNCILMAN ANTHONY**

304 Who else would like to comment? Come on up.

305

306 **CRAIG NEWMAN**

307 Good morning. My name's Craig Newman. I'm here on behalf of Vegas Ventures, LLC, which is
308 the lender and holder of a first Deed of Trust on the property where the Badlands Golf Course
309 used to sit. I can tell you that my client loaned a substantial amount, over eight figures, on this
310 property and did that loan based upon the existing development plans, the zoning that existed on
311 the property and also the zoning verification letter that was provided by the City. We absolutely
312 would not have loaned the money on this property absent those items, and the zoning that exists
313 on this property is residential. And I can tell you that-

314

315 **COUNCILMAN COFFIN**

316 LuAnn, can I have one of those waters?

317

318 **CRAIG NEWMAN**

319 -since the last meeting we've done some further research into the matter and just sort of tried to
320 think let's look at the history of this entire situation. Number one, the Badlands Golf Course was
321 approved by the City. Okay, the City had to approve the development plans. It didn't require any
322 zoning change. It allowed the zoning to remain residential at the time that the Badlands was
323 developed. What happened thereafter? Queensridge is developed. People move in. A lot of
324 people move in. They are all provided CC&Rs. Every single one of them is provided CC&Rs
325 when they move in. Everyone is provided a CC&R that states that the Badlands is not part of
326 Queensridge, number one, so it's essentially their neighbor. It's not part of their development. It
327 is their neighbor, and they are either on constructive notice or actual notice that the property is
328 zoned residential. I know they don't like the way that it's standing now, and they can certainly
329 come and – object to zoning requests, I mean development requests, and they have-

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330 **COUNCILMAN ANTHONY**

331 Okay. Let – me just, we're – not here to have a public discussion about Badlands. We're here to –
332

333 **CRAIG NEWMAN**

334 -Okay. No, I understand, so, but-
335

336 **COUNCILMAN ANTHONY**

337 Are you in agreement or disagreement with the ordinance and why? That's all we're talking about
338 here.
339

340 **CRAIG NEWMAN**

341 Yeah, okay. Well, we are against it, number one, because we would not have loaned the money
342 on this property had we known that this, that this ordinance would have been proposed. Okay? If
343 this ordinance were in, were, had been proposed or had been passed, absolutely we would not
344 have loaned in excess of \$10 million on this property. No way.
345

346 **COUNCILMAN ANTHONY**

347 Okay. All right.
348

349 **CRAIG NEWMAN**

350 You understand. So and –, and if – in fact, the ordinance is passed, it will constitute a taking of
351 our collateral, because our collateral will be rendered valueless. So that will have to be resolved
352 vis-à-vis litigation. You know, I mean, that just, it happens, and that would be what would have
353 to be resolved. We would be a plaintiff to recover the value of our collateral.
354 In addition, if the application of this statute, ordinance, is applied retroactively as to closure,
355 which it is intended to, it's saying that, you know, Badlands, even though this ordinance didn't
356 exist when you were developed, we're now saying that you have to, are subject to these closure

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357 provisions. That is ex post facto law, which is being applied retroactively and will be challenged
358 constitutionally.

359 So our client, our – client is definitely opposed to the ordinance. We believe that it will render
360 our – collateral valueless, and we believe that, and, in fact, it's been pointed out, I'm not gonna
361 belabor the point, that we feel this ordinance is singularly focused, and that's something that, of
362 course, the City is going to have to, the City Council is going to have to consider.

363

364 **COUNCILMAN COFFIN**

365 Mr. Chairman?

366

367 **CRAIG NEWMAN**

368 And if it is singularly focused, it is also unconstitutional.

369

370 **COUNCILMAN ANTHONY**

371 Okay. Thank you.

372

373 **COUNCILMAN COFFIN**

374 Thank you. Thank you, Mr. Chairman. Craig, thank you. This is a lawyer's dream, isn't it, this is,
375 or a nightmare depending on where you are, because I don't think I've ever had a ex post facto
376 bill drafted in front of me. So I – hope this is not ultimately judged to be ex post facto. But what I
377 want to know is who is Vegas Ventures, LLC? Who represents it? I know you talked about it last
378 meeting. But who is it?

379

380 **CRAIG NEWMAN**

381 It is an LLC, and its managing member is Paul Roberts, which I, which I provided last.

382

383 **COUNCILMAN COFFIN**

384 Paul Roberts?

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385 **CRAIG NEWMAN**

386 Paul Roberts.

387

388 **COUNCILMAN COFFIN**

389 Is it Delaware?

390

391 **CRAIG NEWMAN**

392 It's a Delaware LLC. Paul Roberts is the managing member.

393

394 **COUNCILMAN COFFIN**

395 Who's the main owner? Who owns them?

396

397 **CRAIG NEWMAN**

398 I'm not sure who that is. I know Paul Roberts is the managing member. I mean, if – the City
399 would like to engage in some sort of dialogue, maybe we can set something up.

400

401 **COUNCILMAN COFFIN**

402 Is Sheldon Adelson an owner?

403

404 **CRAIG NEWMAN**

405 He may, he may have an interest. I know he has associations with Paul Roberts.

406

407 **COUNCILMAN COFFIN**

408 Uh-huh.

409

410 **CRAIG NEWMAN**

411 I don't know the answer to that, sir.

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412 **COUNCILMAN COFFIN**

413 I don't either, but it's nice to know. Thank you.

414

415 **COUNCILMAN ANTHONY**

416 Okay. Thank you. Appreciate it.

417 Hi. Come on up. If anyone else is gonna be commenting, come on down.

418

419 **ANNE SMITH**

420 Thank you.

421

422 **COUNCILMAN ANTHONY**

423 Hi.

424

425 **ANNE SMITH**

426 Hi, hi, here again. So while we understand-

427

428 **COUNCILMAN ANTHONY**

429 Go – ahead and state your name.

430

431 **ANNE SMITH**

432 Oh, I'm sorry. I always do that. Anne Smith. I'm in Queensridge. While we understand it takes a
433 long time to come up with an ordinance like this, a good ordinance, it's kind of disappointing that
434 it keeps getting kicked down the road a little bit because it's hard to get people here over and
435 over again. So we would appreciate that, if we're gonna do it in November, then it actually
436 happens, because it's like we're crying wolf all the time to get people down here. Okay.

437 But just the attachments to this meeting, there were 45 plus people that wrote in to all of you in
438 support of this, and there were no people writing in, in opposition to the ordinance, so I'd like
439 you to keep that in mind. And they weren't all from Queensridge. There were people from Desert

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440 Shores, there were people from The Lakes and there were people from Canyon Gate, which are
441 also on that list that you have in front of you of the 292 properties. So we would really like to
442 offer that we're in support of it, and we would appreciate it if it could come to some conclusion.

443

444 **COUNCILMAN ANTHONY**

445 Thank you.

446

447 **ANNE SMITH**

448 Thank you.

449

450 **COUNCILMAN ANTHONY**

451 I'm with you. Hi, come on up.

452

453 **MICHELE COMEAU**

454 Hi. My name is Michele Comeau. I'm a longtime resident of Queensridge, and several of my
455 elderly friends weren't able to be here today. First of all, we want to commend the staff for their
456 research, attention to detail and preparation of a truly purposeful ordinance for consideration and
457 just to let you know that we support it. Thank you.

458

459 **COUNCILMAN ANTHONY**

460 Thank you for coming down.

461

462 **ELAINE WENGER-ROESENER**

463 Good morning. I'm Elaine Wenger-Roesener, and I live at 9811 Orient Express Court in
464 Queensridge North. And I am here, we, I am also speaking for three people in the audience,
465 myself and five other people that were not able to make it. And we just wanted to say that we are
466 in support of this open space ordinance, and we are grateful that we have the support of the
467 Southern Nevada Homeowners Association and other development organizations in the valley.

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468 We'd like to take thank the City staff for all the work that they've done, the research and the
469 preparation and the Recommending Committee for the time that you've spent on this too, and we
470 just want to let you know we're in support of it. Thank you.

471

472 **COUNCILMAN ANTHONY**

473 Thanks for coming down.

474

475 **MELANIE HILL**

476 Good morning. My name is Melanie Hill, and I'm a homeowner at Silverstone Ranch, and I think
477 it's great that this ordinance is-

478

479 **COUNCILMAN ANTHONY**

480 A homeowner where?

481

482 **MELANIE HILL**

483 Silverstone Ranch.

484

485 **COUNCILMAN ANTHONY**

486 Silverstone. Okay.

487

488 **MELANIE HILL**

489 And I think it's great that this ordinance is anti-development. I like that it's anti-development.

490 When I bought my house on Silverstone Golf Course, I'm an original owner, I was told that my

491 house would always be next to a golf course, and I paid \$150,000 lot premium to live on a golf

492 course. And I now look at a dead golf course and a boarded-up country club, and I have for three

493 years. And my house is still under water, and it's continuing to remain under water because of

494 this litigation and because somebody came in and bought our golf course with the intent of

495 developing it.

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496 If this ordinance was in place, developers wouldn't buy open space and wouldn't buy golf courses
497 thinking that they were going to turn a huge profit on the backs of the homeowners and at the
498 expense of the homeowners, and I have no problem with that. I don't think that we should be
499 supporting a business model in Nevada where developers think that they can come in and buy
500 golf courses and destroy homeowners' lives and destroy their property values so that they can
501 make millions of dollars.

502 So I don't care that the lender might lose money, and I don't care that Mr. Lowie might lose
503 money, because he bought Badlands Golf Course knowing that he was gonna have to come
504 before the City and try to get permission to build.

505 So this golf course ordinance is gonna protect Silverstone, it's gonna protect Canyon Gate, it's
506 gonna protect The Lakes if they want to drain the lake. It's gonna protect all open space. It's not
507 gonna protect, it's not gonna prevent building on vacant land, which we've heard a lot of. It's only
508 gonna prevent building on open space and golf courses. And when people buy their homes
509 integrated into a golf course community expecting it to remain a golf course, I don't think that
510 the City should be used as a pawn for developers to come in here and bully them to try to make
511 money on golf courses. So I'm absolutely in support of the ordinance, because I think it will
512 prevent developers from continuing to chop up golf courses in the state of Nevada, and I
513 encourage you to vote in favor of the ordinance.

514

515 **COUNCILMAN ANTHONY**

516 Thank you. Hi, come on down.

517

518 **PAT SPILOTRO**

519 Hi. My name is Pat Spilotro. I'm also from Silverstone Ranch, 8177 Bay Colony, 89131. I run
520 the Saving Silverstone Facebook page. I also run the Saving the Silverstone Ranch discussion
521 group. As a matter of fact, I think you're in it, or at least I sent you an invitation, Councilman
522 Anthony.

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523 I recommend you guys look up the information that I'm posting there because it has to deal with
524 all these cases and golf courses and stuff. You don't have any input from Silverstone Ranch, and
525 there's probably a reason for that, and I don't want to get into it here because Councilwoman
526 Fiore is not here. However, I can tell you without a doubt the overwhelming support of
527 Silverstone Ranch is behind this (sic) behind this ordinance. I mean, like, nine to one. I only
528 know of one other person that's against it, one other person that has a problem with it, and,
529 personally, they're, they don't know the facts.

530 The fact that it applies to 242 pieces of property in – in the Las Vegas, that's a good thing. I
531 really would like for you guys to take a look at where this started. This is 208-5. We've been
532 waiting for months to get this thing done. We've been trying to get it through, trying to support it.
533 When you don't get the input from Silverstone Ranch, you don't even get listed in a lot of the
534 stuff that gets brought before you. However, I will tell you every homeowner I've talked to is in
535 favor of the ordinance.

536 I'd also like to submit this letter from our largest property owner. She owns 21 properties in the,
537 in the complex. She is absolutely in favor of the ordinance and wants to know why this
538 information has not been put in front of the (sic) City Council.

539 This is Ordinance 3469 from Henderson. It amazes me that Henderson come to Las Vegas, get
540 information from Las Vegas, take the information back to Henderson, pass a law to protect the
541 golf course, probably one of the reasons why Legacy is still operating and Silverstone Ranch and
542 Badlands are closed. They managed to get their ordinance done, and so, and Las Vegas can't?
543 You know, Las Vegas is out of step with every other city in the United States who is passing golf
544 course ordinances. Texas, Missouri, Florida, all these states have all passed laws for the state, on
545 a state level to protect open spaces and golf courses.

546 Last week, a company called Shun Lee Lending was assigned the note and the deed for
547 Silverstone Ranch. Again we're playing a shell corporation with LLCs. We need to know what
548 our rights are, and we need to have some law in place so we have some protection for our damn
549 open space. Had this law been passed and not delayed at the request of Michele Fiore, had it not

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550 been delayed and dealt with, this (sic) this law probably would have been in place and would
551 have been applied to the new, the new noteholder, Shun Lee Lending.
552 So how long are we gonna delay this for, seriously, because you're leaving us hanging out in
553 space out there? Melanie's \$300,000 upside down on her house, she's still living in the recession.
554 These are recession prices on houses, and that's what we're dealing with. One homeowner sold
555 her house last month. She lost \$115,000 on her house, \$115,000. All the rest of the markets are
556 all back at pre- pre-recession highs, but we're losing money. These are people's cash. I don't have
557 a note I can walk away from on my house. I have cash in my house. So if I walk away now, I
558 lose \$140,000. The least the City could do is give us some protection.
559 I would also like to put one other thing on record. This is legislative intent, since Michele Fiore
560 actually quoted legislative intent from the bill before you at the last meeting. It says open space
561 means a current employment of the land, the preservation of which would conserve and enhance
562 the natural and scenic resources, protect streams, water supplies, maintain natural features which
563 enhance the control of floods, preserve sites designated for historic, as historic by the Office of
564 Historic Preservation, of Department of – Conservation and Natural Resources. The use of real
565 property and the improvements on that real property as a golf course shall be deemed to be an
566 open space use of the land.
567 That's part one. One more short part. Bear with me. I'm really bad at this, sorry. Okay. This is the
568 law that says that any person claiming that an open space real property is no longer an approved
569 open space use may file a complaint, proof and claim with the Board of County Commissioners
570 in the counties in which the property is located. This is the statute that I used to (sic) apply for
571 the change of tax classification on both Silverstone Ranch and Badlands, so if the County was
572 able to assess higher taxes. I did that for a reason, so these people actually have to pay something
573 to come into these properties. It makes absolutely no sense for somebody to walk in and pay \$7.5
574 million or \$10 million or five or \$15 million for 250 acres when the 15-acre parcel across the
575 street sold for \$27 million. That's what just happened at Badlands. The parcel across the street on
576 Rampart, off of Rampart sold for double the amount that they paid for Badlands. So how do you
577 justify making the stroke of a pen and giving Yohan Lowie and a developer \$150 to \$200

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578 million, which he's suing under reverse condemnation. He admits that that's what the land's going
579 to be worth. You do it with the stroke of a pen? You know, the courts find that to be unjust
580 enrichment usually.

581 I just, I'm sorry, but I warned the City, I warned the City a long time ago, when this case first
582 came in front of the City, that if you stepped into it, you were going to be in a legal quagmire.
583 Everybody's gonna be sued. Eight – lawsuits later, I mean, Silverstone Ranch, we're up to 18
584 defendants or something like that. We're on, like, our 25th lawyers. We got a new lawyer for the,
585 for the, for the HOA now, and now the company just got transferred. We need some clarity.

586

587 **COUNCILMAN ANTHONY**

588 Okay.

589

590 **PAT SPILOTRO**

591 Okay?

592

593 **COUNCILMAN ANTHONY**

594 (Inaudible)

595

596 **PAT SPILOTRO**

597 That's the, that's the job of this body is to give us some kind of legislative clarity.

598

599 **COUNCILMAN ANTHONY**

600 All right.

601

602 **PAT SPILOTRO**

603 I'm gonna get into it farther at the City Council meeting, and I'll have a presentation there.

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604 **COUNCILMAN ANTHONY**

605 Great. Thanks for coming down, sir. Appreciate it.

606

607 **PAT SPILOTRO**

608 Thank you.

609

610 **COUNCILMAN ANTHONY**

611 Hi.

612

613 **JOHN BOKA**

614 Two tough acts to follow. My name is John Boka. I'm a resident of Queensridge since 1997. I've
615 been involved with this debacle going on three years now. I was one of the first to – be involved,
616 and I've been to more meetings here in this building that I can count. Anyhow, I just want to tell
617 you that I am support of-.

618

619 **COUNCILMAN ANTHONY**

620 Thank you, sir. Thanks for coming down.

621

622 **JOHN BOKA**

623 -the measure. Thank you.

624

625 **STEVE CARREA**

626 Steve Carrea. I'm a resident of 1 Queensridge Place condo complex. I have a vocal cord
627 condition, so I apologize, but I want to thank the members of the Council for all of your hard
628 work and diligence. Obviously, we know this is a very complex and it's a very controversial
629 issue. I want to concur with the last few speakers in support of the ordinance, and also I want to
630 add just a few items.

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631 One is – that the atrocious media reports that have been attacking members of the Council are
632 totally unjust. There – should be an opportunity for these public figures to be able to speak up
633 and to defend themselves instead of just salacious stories about things that really are
634 unsubstantiated. You all are giving your time. It's not like you're getting wealthy sitting on this
635 Council, and I want to thank you for that attention.

636 In addition, I would just like you to know that the last two court rulings, two, have said that,
637 particularly on the Badlands case, that they don't have the right to build. They have to have a
638 major modification, and so we have to remember that. This is the law of the land for right now.
639 Now, I know the Mayor has said the courts will determine this, and that probably is the case. But
640 Mr. Seroka, Councilman Seroka has spent an enormous amount of time going through and
641 working with staff and connecting the dots, and he's come to the same conclusion that the legal
642 judicial system has.

643 And so I ask you support what our judges are saying, support what the law says, and they say
644 there is no inverse condemnation. This is just intimidation tactics, and we have people, and I've,
645 and I've seen, and I've seen this many times, this is the last point I want to make, I've seen this
646 many times, talking about the wealthy of Queensridge. I want you to come and look at the
647 wealthy of Queensridge, and you're going to see 90 percent of the people that live there are either
648 retirees or just average homeowners, and these homeowners have had significantly greater losses
649 as a result of all the bad press and the activity associated with Badlands than any investment that
650 took place into this project.

651 So we appreciate your consideration, and we appreciate your hard work, and thank you.

652

653 **COUNCILMAN ANTHONY**

654 Thanks. Hi.

655

656 **TERRY STRONG**

657 Hi. My name is Terry Strong, and I am a resident of Silverstone Ranch also. Just asking if you
658 Council folks are aware of the fact that NRS includes the statement the legislature hereby

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659 declares that it is in the best interest of the State to maintain, preserve, conserve, and otherwise
660 continue existence, in its existence adequate agricultural and open space lands and the vegetation
661 thereon to assure continued public health and the use and enjoyment of natural resources and
662 scenic beauty for the economic and social well-being of the State and its citizens. The legislature
663 hereby further finds and declares that the use of real property and improvements on that real
664 property as a golf course achieves the purpose of conserving and enhancing the natural and
665 scenic resources of this State and promotes the conservation of open space.

666 We at Silverstone have been through an ordeal for three years. A little different than what
667 Badlands is going through. At least they've known from the beginning who their opponent is or
668 who it is that they're fighting. We at Silverstone have been fighting straw buyers, bankruptcy,
669 two different courts, federal and state. We're now looking at another buyer and perhaps being
670 thrown out of state and back into federal court. Our attorneys' fees have been horrendous, and the
671 majority of people in Silverstone are behind this ordinance and would like to see it passed as
672 quickly as possible.

673 We've been waiting. We've been kind of quiet. I know there's not a lot of us represented here, but
674 it is certainly a topic of conversation. At a recent town hall meeting, there were a lot of our
675 residents who were made aware of this ordinance, and they all support and hope that the Council
676 will pass it as quickly as possible.

677

678 **COUNCILMAN ANTHONY**

679 Well, thanks for coming down, and you represented them well. So anyone else like to make a
680 public comment?

681

682 **DAN BURDISH**

683 Mr. Chairman, Dan Burdish. I'm Special Assistant to Michele Fiore. I just want to read into the
684 record part of a email that I got this morning from Tom Mason, who is President of the
685 Silverstone Ranch Community Association.

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686 "Good morning. Thank you for—" wrong place. I lost it. "I was hoping to make a Recommending
687 Committee this morning but will be unable to attend due to work conflicts. There may be several
688 Silverstone residents who plan to attend. Please note that these individuals do not represent the
689 SRCA Board of Directors. The Board has not taken a formal position while this ordinance
690 evolves and has not formally polled the members for – sentiment."
691 I'll go ahead and forward this to the entire City Council and to LuAnn so that it can be in the
692 record.

693

694 **COUNCILMAN ANTHONY**

695 Thank you. Anyone?

696

697 **TERRY STRONG**

698 Wait.

699

700 **COUNCILMAN ANTHONY**

701 No, we, we've already heard from you, ma'am, so we're fine. So anyone else?

702 Okay. **I will go ahead and close public comment, and unless I hear differently I am going to**

703 **make a motion to refer this with no recommendation to the City Council for a vote.** It's

704 scheduled for a vote this Wednesday, and at the request of Councilwoman Fiore, who will not be

705 here, I'm gonna make a motion to abey the City Council vote to November 7th. So that's my

706 motion. Any comments up here?

707

708 **COUNCILWOMAN TARKANIAN**

709 I – would just like, because I'm sort of coming in here relatively new on this. That way Michele

710 Fiore is recognized as having a concern, and, professionally, we're granting her that time, right?

711 And are you saying, then, that we will hear it on the, in November? Because I want to say I –

712 understand where these individuals are coming from, and I know Mr. Seroaka has spent a lot of

713 time and effort in doing this, and it's hard. I have an issue myself that keeps coming back, and it's

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714 hard for people to know when to come and can you do this, how many times can you, you know,
715 get off work and things like that. So I just wanted to ensure that we're intending to hear it on that
716 date for sure.

717

718 **COUNCILMAN ANTHONY**

719 Well, the only thing I care about is getting it out of this Committee onto the City Council agenda.
720 It'll be scheduled for the November 7th City Council agenda. What happens in our City Council
721 meetings, who knows?

722

723 **COUNCILMAN COFFIN**

724 Wait.

725

726 **COUNCILWOMAN TARKANIAN**

727 Okay. But you-

728

729 **COUNCILMAN ANTHONY**

730 Anything can happen, but it will, it will be on that-

731

732 **VAL STEED**

733 Mr. Chairman?

734

735 **COUNCILMAN ANTHONY**

736 -on that agenda for public discussion, and it'll be up to the Mayor and the City Council what we
737 want to do.

738

739 **VAL STEED**

740 Yeah, just – to clarify, it – is – listed on the Council agenda for this coming Wednesday. Mr.,
741 Chairman Anthony has indicated he intends to make a motion to hold it in abeyance from that

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742 meeting until November. We don't know the outcome of that vote, so we can't provide anybody
743 any assurance that it won't be adopted this week or that it will be adopted in November. I just
744 wanted that, to clarify that.

745

746 **COUNCILMAN ANTHONY**

747 That's accurate. Thank you.

748

749 **COUNCILMAN COFFIN**

750 Mr. Chairman, I'll be supporting your motion to, I'm sorry. Were you through?

751

752 **COUNCILWOMAN TARKANIAN**

753 I, I'm through. That's all right. I'm only a woman here. That's all right.

754

755 **COUNCILMAN COFFIN**

756 Me too, so to speak. Well, we have a contest on whether or not a couple of members of the
757 Council can vote. I will be voting today in favor of your motion to move it to Council without
758 recommendation.

759 I have in front of me here the motion denial by the federal court, which was an attempt to keep
760 Councilman Seroka and I from participating in these discussions, and the emergency was
761 declared out of bounds Thursday. So I will be able to vote today and Wednesday and November
762 7th if that is what we decide to move it to. So if anybody wants to see this, I suppose I could put
763 it in the record since there has been some noise about it. Thank you, Mr. Chairman.

764

765 **COUNCILMAN ANTHONY**

766 Okay. Let's go ahead and vote then.

767

768 **COUNCILWOMAN TARKANIAN**

769 Could I just say one other last thing? I'm sorry. But, you know, I – feel an offense when

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770 somebody says that we had something pre-planned. I voted on every single time this came up. I
771 voted the same way I voted on issues for 14 years practically, and it had nothing to do with Mr.
772 Yohan. It had nothing to do, I voted strictly on the issues, and I don't think it's fair to bunch us all
773 up and say that we haven't followed through on issues, rather it's more personalities, and I just
774 wanted to make that objection on the record. Thank you.

775

776 **COUNCILMAN ANTHONY**

777 Okay. **Let's go ahead and vote and post. Okay. Motion carries. (Motion carried**
778 **unanimously.)** If anybody is unclear on the procedure as we stated up here, you can contact my
779 office, and I will be glad to explain it further for you. So there you go. All right, it's, this is out of
780 Recommending, and it's in the hands of the City Council.

781

782 **(END OF DISCUSSION)**

783

784 /jm