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September 17, 2002

Mayor Oscar B. Goodman
Councilman Larry Brown
Councilman Michael Mack
Councilwoman Lynette Boggs McDonald
Councilman Michael J. McDonald
Councilman Gary Reese
Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Mayor and City Council Members:

The Southern Nevada Home Builders Association continues to have strong objections to provisions in Bill Number 2002-87 which was abeyed from your September 4, 2002, to your September 18, 2002, City Council meeting. This bill revises landscape, wall, and buffer requirements for development in the City of Las Vegas.

We met with your planning department staff on September 11, 2002 and appreciate their assistance in trying to resolve our concerns. Your staff has proposed some language changes which will make some of the provisions in the ordinance less onerous to residential developments, homeowners and homeowners associations. We did not reach a resolution, however, on the maintenance and liability sections of the bill. Thus, we are still opposed to the provisions in this bill which require these same property owners to maintain public sidewalks and median islands. These are public facilities and there are significant liability and insurance concerns to be considered - these homeowners do not have the advantage of a liability cap, as do our local governments. We strongly believe that the maintenance and repair of these public use facilities are the responsibility of local government.

In addition, over the past few months we have been working diligently with the Regional Transportation Commission's right-of-way working group on the types of issues in bill 2002-87. The report has not yet been finalized, as there were several comments to the draft report, but should be soon. Thus, we were disappointed to see an ordinance that addresses similar issues but that had not been coordinated with the RTC study.

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ASSEMBLY GOVERNMENT AFFAIRS

DATE: 4/2/13 ROOM: 3/43 EXHIBIT E. 1/2

SUBMITTED BY: (Allegne Willer - Paggie)

City of Las Vegas September 17, 2002 Page 2

The Southern Nevada Home Builders Association thanks staff for meeting with us to try to identify solutions to our issues. We realize that some of the items are truly policy considerations beyond staff's control. Thus, we are asking for your assistance to help resolve our concerns for residential property owners by eliminating the maintenance and liability provisions in the bill, as well as including the changes proposed by staff after our meeting with them last week.

Sincerely,

Irene Porter

Executive Director

cc: Bob

Bob Genzer, Director of Planning and Development

Barbara Jo Ronemus, City Clerk

E 1/2

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