



## Staff Report – Public Hearing for Ordinance

September 20, 2021 Regular Meeting

Public Hearing regarding an Amendment to the Development Agreement relating to Sewer Service for the Green Mountain PRD

Presenter: Steve Wall, Public Works Director

Time Estimate: 10 min

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**INTRODUCTION/PURPOSE/SUMMARY:** The City entered into a Purchase and Sale Agreement (PSA) with Terrell & Associates, LLC, et. al. effective December 1, 2020 regarding the donation of 60 acres to the City and purchase of 55 acres by the City. The parcels were originally a part of the Green Mountain Planned Residential Development (PRD) and identified as "Phase 3". The 60-acre donation of property to the City (shown below as "Parcel 1" in Figure 1) occurred in December 2020 and the PSA stipulated that the purchase of the remaining 55 acres for \$3.8 million (shown as "Parcel 2" in Figure 1) is to close no later than October 31, 2021. As a condition of closing, Section 3(j) of the PSA also requires that two existing development agreements associated with the Green Mountain PRD be amended to remove the donated and purchased parcels, and therefore the City, from any obligations associated with the Green Mountain PRD.

In accordance with CMC 18.55.340, a public hearing must be held before adopting any development agreement via ordinance or resolution. This public hearing is for an amendment to the Development Agreement between Green Mountain Land, LLC and the City recorded on February 5, 2016 under Clark County Auditor's file number 5254840 pertaining to the provisions for sewer service to the Green Mountain PRD.

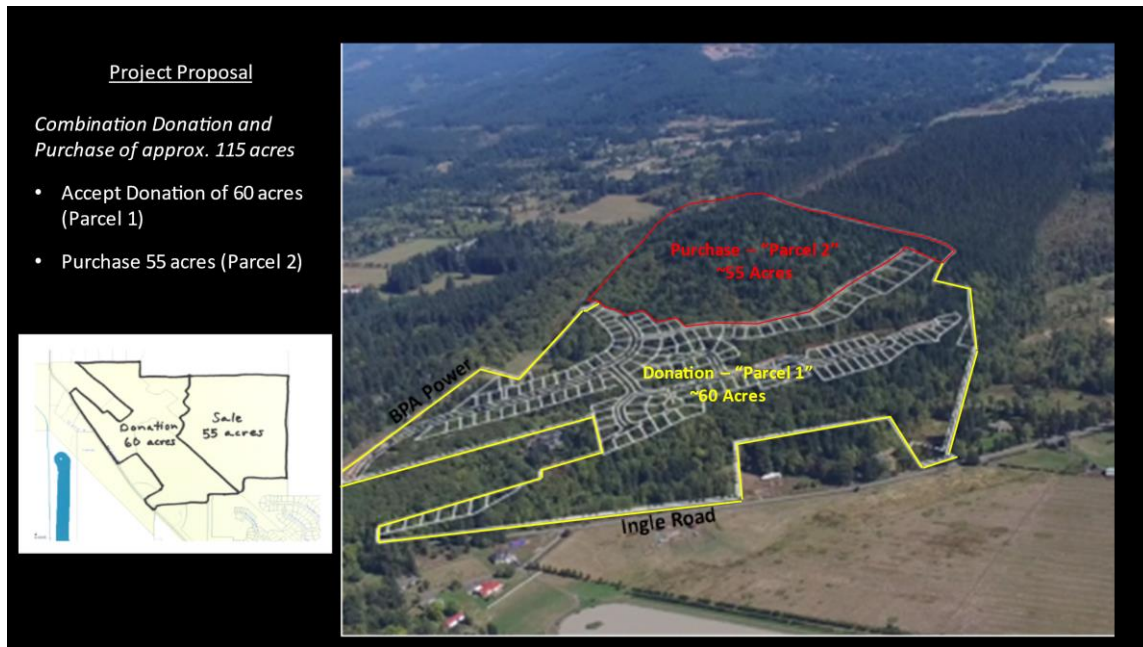
### EQUITY CONSIDERATIONS:

What are the desired results and outcomes for this agenda item?

- To hold a public hearing regarding an amendment to an existing development agreement with Green Mountain Land, LLC.

What's the data? What does the data tell us?

- N/A



**Figure 1: Green Mountain PRD Ph. 3 Donation and Purchase**

How have communities been engaged? Are there opportunities to expand engagement?

- This public hearing is intended to provide opportunities for public comment and engagement on the proposed amendment.

Who will benefit from, or be burdened by this agenda item?

- The City as a whole will benefit from this agenda item as it will remove the City from any obligations placed on the Green Mountain PRD through the existing development agreement.

What are the strategies to mitigate any unintended consequences?

- Review of the PSA occurred prior to signing and a public hearing is being held to obtain public feedback.

Does this agenda item have a differential impact on underserved populations, people living with disabilities, and/or communities of color? Please provide available data to illustrate this impact.

- N/A

Will this agenda item improve ADA accessibilities for people with disabilities?

- N/A

What potential hurdles exist in implementing this proposal (include both operational and political)?

- None

How will you ensure accountability, communicate, and evaluate results?

- N/A

How does this item support a comprehensive plan goal, policy or other adopted resolution?

- As discussed in previous staff reports, acquiring the Green Mountain Property meets multiple goals within the City's Comprehensive Plan and PROS Plan.

**RECOMMENDATION:** Staff recommends holding a public hearing to receive testimony, then direct staff and the City Attorney to draft a Resolution for consideration by Council at the October 4, 2021 Regular Meeting.