

ARGENTUM PARTNERS

Wednesday, November 18, 2020

Good morning, Mayor, Mayor Pro Tempore and Council. My name is Scot Rutledge with Argentum Partners. I am here today on behalf of our client, Nevada CRT, LLC, regarding its application for SUP-77274 for the property located at 9140 West Sahara Avenue.

We find ourselves in a unique situation as a result of the recent Court order remanding SUP-77274 to the City Council with instructions for it to be considered anew. Per your agenda for today, Item #38, I understand there are deliberations taking place as to whether the City should file a writ petition challenging the judge's order remanding SUP-77274 to the City Council for consideration. We hope the City Council decides not to challenge the order, and would ask that it not do so. In this request, we emphasize three points.

First, our client has only asked for a fair hearing. We believe that the Judge's order simply acknowledges the need for a fair hearing without bias, without the irregularities that occurred during the first process, and without starting the process over.

Second, the Court's order was narrow in scope to address only certain irregularities that occurred in the process leading to the prior decision denying SUP-77274. We do not believe the Court made any rulings that limit the City Council's decision making authority. By limiting its ruling in this way and remanding the matter back to the City Council, the Judge intended to provide the City Council an opportunity to avoid the procedural irregularities that occurred during the first hearing process.

Third, our client is willing and would welcome the opportunity to resolve this matter. We believe considering and discussing resolution would be a much better alternative to a lengthy, costly legal proceeding and litigation process given the circumstances of this case. We hope the City agrees, and Nevada CRT and its attorneys remain willing and open for discussions in an attempt to find a path toward resolution.

Our client would like to proceed as soon as possible and we would ask for SUP-77274 to be placed on the next council agenda. We believe that your staff and planning commission evaluated the application correctly and we are prepared to answer any questions about the application, the business, and the team. We look forward to meeting with each of you to present the application and to discuss its merits.

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Submitted at City Council!

Date 11/18/20 Item 38