

**ORDINANCE NO. 3150**

**AN ORDINANCE CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 66 (VILLAGES AT TULE SPRINGS VILLAGE 1) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the City Council (the “Council”) of the City of North Las Vegas, Nevada (the “City”), has previously, pursuant to the requisite preliminary proceedings, created the City of North Las Vegas, Nevada, Special Improvement District No. 66 (Villages at Tule Springs Village 1) (the “District”) for the purpose of acquiring and improving a street project, a water project, a storm sewer project, and a sanitary sewer project (collectively, the “Project”), and has provided that the entire cost and expense of the Project shall be paid by special assessments, according to benefits received by the benefited lots, tracts and parcels of land in the District;

**WHEREAS**, pursuant to Chapter 271 of Nevada Revised Statutes (“NRS”) and all laws amendatory thereof and supplemental thereto (the “Act”), there has previously been presented to the Council a written petition from D.R. Horton, Inc., a Delaware corporation (the “Developer”), requesting the City to initiate the formation of the District and the acquisition and improvement of the Project, to levy assessments, to issue bonds, and to proceed with certain actions required by the Act;

**WHEREAS**, the City and the Developer have entered into a District Financing Agreement, dated as of October 19, 2022 (the “Financing Agreement”), for the acquisition and improvement of the Project which contains the terms and conditions required by NRS 271.710 and 271.720;

**WHEREAS**, the City has further entered into agreements with Forestar (USA) Real Estate Group Inc., a Delaware corporation, and Pacific Oak SOR Tule Springs Owner TRS, LLC, a Delaware limited liability company (collectively, the “Land Owners,” and together with the Developer, (the “Owners”)), each dated as of October 19, 2022, which contain the terms and conditions required by NRS 271.710 and 271.720;

**WHEREAS**, the Owners are collectively the owners of 100% of the assessable property comprising the District;

**WHEREAS**, NRS 271.710 provides that the City may adopt this Ordinance and order the Project to be acquired without complying with the provisions of NRS 271.305 to 271.320, inclusive, 271.330 to 271.345, inclusive, 271.380, and 271.385 and that the Council does not need to adopt the resolutions required pursuant to the provisions of NRS 271.280, 271.310, 271.360 and 271.390;

**WHEREAS**, the District has been created by an ordinance designated as the “District No. 66 Creation Ordinance” previously approved by the Council under the provisions of the Act;

**WHEREAS**, the Council has determined that the entire cost and expense to the City of the acquisition and improvement of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District;

**WHEREAS**, such cost and expense of the Project includes the costs and expenses of the City to be incurred in connection with the formation of the District, the levy of assessments against properties in the District, and the issuance of the bonds by the City (the "Bonds") to finance the cost of the acquisition and improvement of the Project and the amount of reserve and other funds for the Bonds;

**WHEREAS**, the Council has determined and does hereby declare that the net cost to the City of the Project is \$35,400,000 of which \$0 is available from other sources and \$35,400,000 is to be assessed upon the benefited lots, tracts and parcels of land in the District;

**WHEREAS**, after determination of the cost and expense of the acquisition and improvement of the Project to be paid by the property specially benefited, the Council, together with Webb Municipal Finance, LLC, acting as assessment engineer (the "Engineer"), made out an assessment roll for the District containing, among other things, the name and address of the last-known owner of the property to be assessed, a description of each lot, tract and parcel of land to be assessed, and the amount of the assessment thereon and has filed the assessment roll with the City Clerk;

**WHEREAS**, the assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed; and

**WHEREAS**, it is incumbent upon the Council to provide when said assessments shall become due and the penalties payable after any delinquency.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:**

Section 1. This Ordinance shall be known as and may be cited by the short title "District No. 66 Assessment Ordinance" (this "Ordinance").

Section 2. All actions, proceedings and matters previously taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning the District, including, but not limited to, the creation of the District, the acquisition and improvement of the Project, the levy of assessments for those purposes, and the validation and confirmation of the assessment roll and the assessments therein, are ratified, approved and confirmed.

Section 3. For the purpose of paying the cost and expense of acquisition and improvement of the Project by the City, there are hereby levied and assessed against the lots, tracts and parcels of land in the District specially benefited by the Project and described in the assessment roll for the District in the form on file in the office of the City Clerk on the date of adoption of this Ordinance, the amounts and assessments shown in the assessment roll (as so filed and confirmed).

The Council hereby finds and determines that such assessments do not exceed the benefits to the property assessed nor the total cost and expense of the acquisition and improvement of the Project payable from assessments as previously determined and do not exceed the reasonable market value of the lots, tracts and parcels of land to be assessed.

Section 4. (a) The Developer pursuant to the Financing Agreement and the Land Owners pursuant to separate agreements, have elected to pay the assessments in installments, with interest as hereinafter provided, and the Council hereby authorizes such manner of payment. The unpaid assessments shall be payable on March 1 and September 1 of each year, commencing on March 1, 2023, in fifty-nine (59) semi-annual substantially equal installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal as provided by the City Manager, as the Chief Administrative Officer of the City, or in his absence, the Chief Financial Officer of the City, at a rate or rates, which shall not exceed by more than one percent (1%) the highest rate of interest on the Bonds at any maturity issued for the District. Before Bonds are issued, the City Manager, or in his absence, the Chief Financial Officer of the City, shall fix the rate or rates of interest on the unpaid and deferred installments pursuant to NRS 271.415. Unpaid and deferred assessment installments shall bear interest at 0% until the Bonds are issued. The effective interest rate on the Bonds will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds" most recently published in The Bond Buyer before the time bids for the Bonds are received, or at the time a negotiated offer for the sale of such Bonds is accepted.

(b) The Council hereby directs the City Treasurer to collect the assessments as and when payable, as provided herein. The installments of the assessments shall be payable at the office of the City Treasurer. Pursuant to NRS 271.415(5), the City Treasurer shall notify the owners of real property within the District of the amounts becoming due and each such owner shall be deemed notified and shall be responsible for any penalties or delinquencies regardless of such owner's failure to maintain an accurate mailing address with the County Assessor. Such notice shall state that the assessment installment is payable not later than the March 1 or September 1 next succeeding such notice. Except as herein provided, failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately, at the option of the City, the exercise of said option shall be indicated by the commencement of foreclosure or sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

(c) The owner of any property assessed and not then in default as to any assessment installment or payment may, at any time (at the option of such owner), pay the whole or any portion of the unpaid principal with interest accruing thereon to the next assessment payment

date, together, and except as provided in the following sentence, with a prepayment premium equal to three percent (3%) of the principal amount so prepaid. If the Bonds may then be redeemed without the payment of any premium, or at a lower premium, the City, in its sole discretion, may waive the requirement of payment of the prepayment premium or require a prepayment premium of less than 3%. No waiver for a particular prepayment premium shall be deemed to be a waiver for any other prepayment premium. After any partial prepayment of an assessment or refunding of the Bonds pursuant to NRS 271.488, the City Treasurer shall reamortize the assessment installments due on the parcel on which the partial prepayment was made or, in the case of a refunding, on all parcels, so that the remaining semiannual installments are substantially level installments of principal and interest with a final due date of March 1, 2052.

(d) Assessment installments or assessment prepayments shall be reduced by the amount of any credits available for such installments or prepayments as provided in the bond ordinance or trust indenture authorizing the issuance of the Bonds. This section does not prevent the City from amending this Ordinance, the Financing Agreement or any other documents executed in connection with the Bonds to provide for other uses of the interest earned on Bond proceeds, any excess Bond proceeds or the reserve fund established for the Bonds (the "Reserve Fund") in connection with a refunding of the Bonds; and the owners of the property assessed in the District have no entitlement to payment of any amounts in the interest earned on Bond proceeds, any excess Bond proceeds or the Reserve Fund in the event of such an amendment.

Section 5. The amounts assessed as provided in this Ordinance shall be a lien upon the lots, tracts and parcels of land from the effective date of this Ordinance until paid. Pursuant to NRS Section 271.420, such lien shall be co-equal with the latest lien upon the lots, tracts and parcels to secure the payment of general taxes, shall not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes, and shall be prior and superior to all liens, claims, encumbrances and titles other than the lien of assessments and general taxes. The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 6. If any parcel of Property is divided after the effective date of this Ordinance and before the collection of all of the Assessment Installments, the Council may require the City Treasurer to apportion the uncollected amounts upon the several parts of land so divided.

(a) Apportionments and reapportionments of assessments shall be made in accordance with the method specified in the Engineer's Report dated November 7, 2022 prepared by the Engineer relating to the District, which is on file with the City Clerk.

(b) The report of such an apportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report nor any defect in the report as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

(c) In the Financing Agreement, the City and the Developer acknowledged and agreed that only a portion (presently expected to be approximately 70 acres north of Tule Springs Parkway) of the total acreage of Clark County Assessor's Parcel Number ("APN") 124-15-301-001 is presently intended to be subject to an assessment lien to secure the repayment of the Bonds following the future filing by the Developer of a map subdividing such APN. Promptly, but in no event more than 90 days, following the filing of a map that subdivides APN 124-15-301-001 in such a manner as to produce a land plan generally consistent with Exhibit A-3 to the Financing Agreement, the City shall reapportion the assessments within the District so that they only place a lien on that portion of the District generally described in Exhibit A-3 to the Financing Agreement. Notwithstanding the foregoing, the City shall not reapportion assessments from the original APN 124-15-301-001 onto the newly created APNs which are within the boundaries of the District as identified in Exhibit A-3 to the Financing Agreement unless such newly created APNs total at least approximately 70 acres north of Tule Springs Parkway.

(d) The City may also reapportion assessments on tracts (whether currently within the District or later added to the District) with the consent of property owners whose assessment will be increased thereby pursuant to NRS 271.425(3) or NRS 271.710(2) if the Council finds that the proposed action will not:

(i) materially or adversely impair the obligation of the City with respect to the Bonds; or

(ii) increase the principal balance of any assessment to an amount such that the aggregate amount which is assessed against a tract exceeds the minimum benefit to the tract that is estimated to result from the project which is financed by the assessment.

Section 7. In case any such lot, tract or parcel of land so assessed is delinquent in the payment of such assessment or any installment of principal or interest, the City Treasurer promptly (but in no event later than 60 days after the installment due date) shall mark the assessment installment delinquent on the assessment roll for the District and shall notify the owner of such delinquent property, if known, in writing of such delinquency, by first class mail, postage prepaid, addressed to the addressee's last-known address. Said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to 271.630, and the assessment roll and certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings. Unless otherwise directed by the Council, in the case of such a collection, the City Treasurer shall determine whether to cause the whole amount of the unpaid assessment with respect to such property to be immediately due and payable. If any such collection is not promptly enforced by the City, any bondholder may file and prosecute a foreclosure action in the name of the City. Any bondholder may also proceed against the City to protect and enforce the rights of the owners of the Bonds under this Ordinance and the Act by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in the Act or in an award of execution of any power herein granted for the enforcement of any proper legal or equitable remedy as such bondholder may deem most effectual to protect and enforce the rights aforesaid. All such proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all owners of the Bonds then outstanding. The failure of the bondholders so to foreclose upon the property which is the subject of such delinquent assessments or so to proceed against the City, or both, shall not relieve the City or any of its officers, agents or employees of any duty so to take the actions hereinabove set forth.

Section 8. The City Clerk is hereby directed to deliver to the County Assessor, the County Recorder and the City Treasurer, a certified copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner against whom the assessment was made, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the assessment roll as provided in this Section, nor any defect in the roll as recorded shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien. The City Treasurer is hereby directed to collect the amounts assessed as a tax upon the lots, tracts and parcels of land to which they were assessed.

Section 9. In accordance with NRS 271.390(2), the City Clerk shall give written notice of the levy of assessments by mailing a copy of such notice, postage prepaid, either before or promptly after the effective date of this Ordinance, to the owners of all property upon which the assessment was levied at their last-known addresses. Proof of such mailing shall be made by the affidavit of the City Clerk, provided, however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and all Bonds shall have been paid in full, as to both principal and interest, or until any claim is barred by an appropriate statute of limitations. The Council hereby determines that the manner of giving notice herein provided by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 10. The notice provided for in NRS 271.390(2) and in Section 9 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR  
IMPROVEMENTS IN THE CITY OF NORTH LAS VEGAS,  
NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 66  
(VILLAGES AT TULE SPRINGS VILLAGE 1)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied that, by an ordinance duly passed, adopted, signed and approved on November 16, 2022 (the "Ordinance"), there were levied and assessed against the lots, tracts and parcels of land specially benefited by the certain Improvements in what is designated as the "City of North Las Vegas, Nevada, Special Improvement District No. 66 (Villages at Tule Springs Village 1)" (said lots, tracts and parcels of land being more specifically described in the assessment roll designated in the Ordinance), the costs and expenses of such improvements.

The assessments are payable at the times and in the amounts specified in the Ordinance. Failure to pay any installment, whether of principal or interest, when due shall cause the whole amount of the unpaid principal of such assessment to become due and payable immediately at the option of the City, the exercise of said option shall be indicated by the commencement of sale proceedings by the City. The whole amount of the unpaid principal and the interest that has accrued thereon shall, commencing fifteen (15) days after the date on which the delinquent installment became due, whether or not the option to accelerate the due date for the payment of the unpaid principal is exercised, bear a penalty at the rate of 2% (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of the foreclosure sale or until paid; provided that, at any time prior to the day of such sale, the owner of any such lot or parcel may pay the aggregate amount of all of the delinquent installments originally becoming due on or before the date of said payment, with accrued interest thereon and all penalties and costs of collection accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if a default had not been suffered.

Pursuant to NRS 271.395, within 15 days after the effective date of the Ordinance, any person who has filed a complaint, protest or objection in writing may commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter all actions or suits attacking the regularity, validity and correctness of the proceedings, of the assessment roll, of each assessment contained in the assessment roll, and of the amount of the assessment levied on each lot, tract and parcel of land including without limiting the generality of the foregoing, the defense of confiscation, are perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from November 16, 2022, which lien shall be coequal with the latest lien thereon to secure the payment of general (ad valorem) taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general (ad valorem) taxes). The sale of any such lot, tract or parcel of land for general (ad valorem) taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

DATED this November 16, 2022.

/s/ Jackie Rodgers  
City Clerk

Amount of assessment \$ \_\_\_\_\_

Description of property assessed \_\_\_\_\_

(End of Form of Notice)

Section 11. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings and other items necessary or desirable for the issuance of the Bonds.

Section 12. All ordinances, bylaws, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, bylaw, resolution or order, or part thereof, previously repealed.

Section 13. Section 6.020 of the City Charter provides that the City Council is vested with the powers granted to municipalities by NRS 271 with respect to the Project. NRS 271.710(2)(c) provides that this Ordinance may be adopted as if an emergency exists upon an affirmative vote of 2/3 of the members of City Council. Pursuant to Section 2.100 of the City Charter and NRS 271.710(2)(c), this Ordinance will be considered for final adoption at a special meeting of the City Council called with unanimous consent of the City Council. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having a general circulation in the City, such publication to be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

**ORDINANCE NO. 3150**

**AN ORDINANCE CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 66 (VILLAGES AT TULE SPRINGS VILLAGE 1) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.**

**PUBLIC NOTICE IS HEREBY GIVEN** that such Ordinance was passed at the meeting held on November 16, 2022, by the following vote of the City Council:

|                   |                               |
|-------------------|-------------------------------|
| Those Voting Aye: | <u>John J. Lee</u>            |
|                   | <u>Pamela A. Goynes-Brown</u> |
|                   | <u>Isaac E. Barron</u>        |
|                   | <u>Scott Black</u>            |
|                   | _____                         |
|                   | _____                         |
| Those Voting Nay: | _____                         |
| Those Absent:     | <u>Richard J. Cherchio</u>    |

This Ordinance shall be in full force and effect from and after the 16<sup>th</sup> day of November, 2022, i.e., the day of adoption of this Ordinance.

**IN WITNESS WHEREOF**, the City Council of the City of North Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this November 16, 2022.

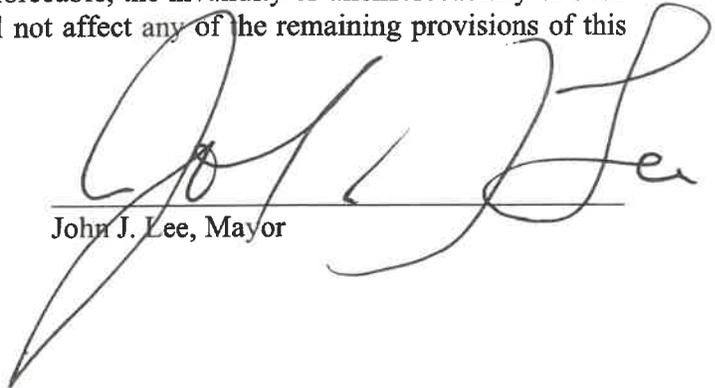
/s/ John J. Lee  
Mayor

Attest:

/s/ Jackie Rodgers  
City Clerk

(End of Form of Publication of Adoption of Ordinance)

Section 14. If any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

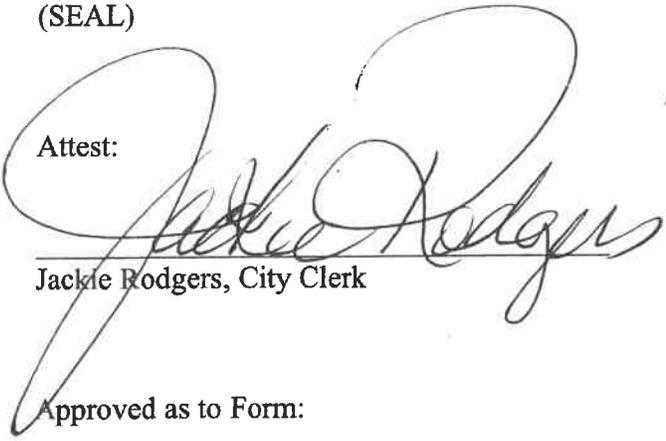


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John J. Lee, Mayor

(SEAL)

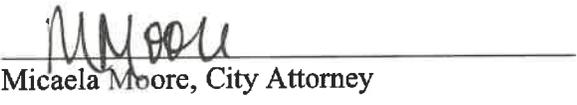
Attest:



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Jackie Rodgers, City Clerk

Approved as to Form:



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Micaela Moore, City Attorney

Pursuant to NRS 271.710(2)(c) and Section 2.100 of the City Charter, this Ordinance shall be in full force and effect from and after the date of its adoption (i.e., November 16, 2022).

STATE OF NEVADA )  
 )  
COUNTY OF CLARK ) ss  
 )  
CITY OF NORTH LAS VEGAS )

I, Jackie Rodgers, the duly chosen, qualified City Clerk of the City of North Las Vegas (hereinafter the "City Clerk" and "City," respectively), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was adopted at the special meeting of the Council held on November 16, 2022. Such special meeting was called with the unanimous consent of the members of the Council.

2. The following members of the Council were present at the November 16, 2022, Council meeting:

|                  |  |
|------------------|--|
| Mayor:           | John J. Lee  |
| Council members: | Pamela A. Goynes-Brown<br>Isaac E. Barron<br>Scott Black |

3. At the special meeting held on November 16, 2022, the Ordinance was read by title to the Council and adopted. The members of the Council voted upon the adoption of the Ordinance as follows:

Those Voting Aye:

Mayor: John J. Lee

Council members: Pamela A. Goynes-Brown, Isaac E. Barron, Scott Black

Those Voting Nay: None

Those Absent: Richard J. Cherchio

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as City Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of and consented to the special meeting held on November 16, 2022. Pursuant to NRS 241.020, written notice of the meeting was given no later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice to:

- (i) City Hall  
2250 Las Vegas Boulevard North  
North Las Vegas, Nevada
- (ii) City of North Las Vegas Website and Nevada Public  
Notice Website

and

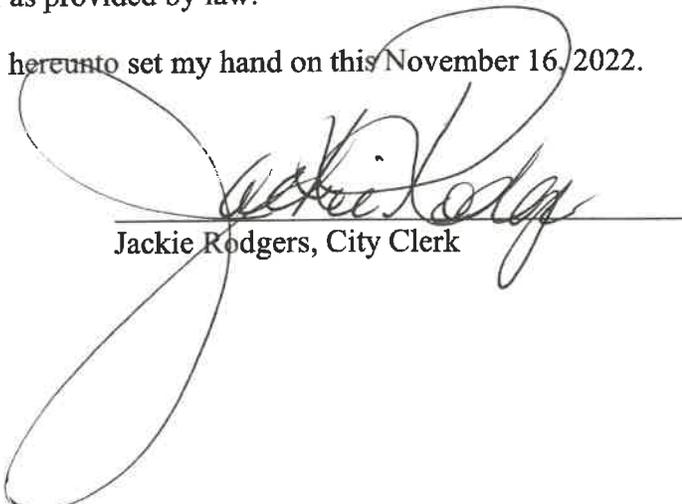
(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meeting to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on November 16, 2022, is attached to this certificate as Exhibit A.

7. Attached as Exhibit B to this certificate is an Affidavit of Publication of Adoption of Ordinance.

8. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this November 16, 2022.

  
\_\_\_\_\_  
Jackie Rodgers, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of November 16, 2022 Meeting)

**NOTICE AND AGENDA  
CITY OF NORTH LAS VEGAS  
CITY COUNCIL SPECIAL MEETING**



November 16, 2022

3:00 p.m., Council Chambers, 2250 Las Vegas Boulevard North,  
North Las Vegas, Nevada 89030

Website - <http://www.cityofnorthlasvegas.com>

**CALL TO ORDER**

The North Las Vegas City Council welcomes each of you to its meeting.

 The North Las Vegas City Council Chambers is accessible to all persons. If you need special assistance to attend and participate in the City Council or Redevelopment Agency meeting, please call Relay Nevada, a free service provider for deaf, hard of hearing, deaf-blind, or those having difficulty speaking on the phone, by dialing 7-1-1. Call at least 72 hours in advance of the meeting in order to speak to City offices in order to submit your comments on agenda items.

Items on the agenda may be taken out of order. Two or more agenda items may be combined for consideration or items may be removed from the agenda or have the discussion delayed to another date. For general questions regarding this agenda or for supporting material, please contact Jackie Rodgers, City Clerk at (702) 633-1030. You may provide comments online or by email prior to the meeting. Information for submitting comments can be found on the City's website.

If you attend the meeting and wish to speak on a particular item, please complete one of the blue cards located at either the table outside the main entrance to Council Chambers or at the podium rail inside Council Chambers and submit the card to the City Clerk. We request that you limit your comments to less than three minutes and that you avoid repetition. If you are attending the meeting in person, we also request that you remove your hat and/or sunglasses, as applicable, before speaking to the City Council.

North Las Vegas Municipal Code (NLVMC) 2.04.150(C) provides that any person making personal, impertinent, slanderous, or profane remarks or who willfully utters loud,

threatening or abusive language, or engages in any disorderly conduct which would impede, disrupt, or disturb the orderly conduct of the meeting shall be called to order by the presiding officer. If such disorderly conduct continues, the presiding officer at the meeting may bar the disruptive person from the remainder of the meeting. NLVMC 2.04.150(D) provides that people attending the meeting shall not engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstration that disturbs the peace and good order of the meeting.

These proceedings can be viewed in person at Council Chambers or live online at the City's website. Council meeting video is recorded for future viewings on KCLV, Cable Channel 2. The video of the meeting is rebroadcast on KCLV Channel 2 the Friday after the meeting at 4:00 P.M. and rebroadcast the next week on Tuesday at 12:00 P.M. and on Thursday at 6:00 A.M. The video of the meeting is published to the City's Public Access Portal the day after the meeting.

## **VERIFICATION ON COMPLIANCE WITH OPEN MEETING LAW**

### **PLEDGE OF ALLEGIANCE - BY INVITATION**

### **PUBLIC FORUM**

*This is the first of two portions of the City Council devoted to the Public. Public comment during this portion of the agenda must be limited to matters on the agenda for action. After completing and submitting a blue speaker card, please come forward to the podium upon recognition by the Mayor. Please state your name and address for the record. In consideration of other citizens, we ask that you please limit your comments to three minutes and that repetition be avoided.*

### **AGENDA**

1. City Council Special Meeting Agenda of November 16, 2022. (For Possible Action; Recommendation – Approve)

## ORDINANCES - INTRODUCTION AND FINAL ACTION

2. **Ordinance No. 3149**, An Emergency Ordinance Creating the City of North Las Vegas Special Improvement District No. 66 (Villages at Tule Springs Village 1). (Ward 4- Cherchio) (For Possible Action; Recommendation – Approve; Pass and Adopt)
3. **Ordinance No. 3150**, An Emergency Ordinance Assessing the Cost of Special Improvements Against the Assessable Property Benefited by Special Improvements in the City of North Las Vegas Special Improvement District No. 66 (Villages at Tule Springs Village 1). (Ward 4-Cherchio) (For Possible Action; Recommendation – Approve; Pass and Adopt)
4. **Ordinance No. 3151**, An Emergency Ordinance Authorizing the Issuance and Sale by the City of its Special Improvement District No. 66 (Villages at Tule Springs Village 1) Local Improvement Bonds, Series 2022; Approving the Form of Certain Documents with Respect to Such Bonds; Ratifying Action Taken by City Officers Toward the Issuance of Such Bonds; and Providing Other Matters Related Thereto. (Ward 4- Cherchio) (For Possible Action; Recommendation – Approve; Pass and Adopt)

## CITY MANAGER'S REPORT

### PUBLIC FORUM

*This is the portion of the meeting devoted to the Public to speak on any subject within the jurisdiction, control, or authority of the City Council. After completing and submitting a blue speaker card, please come forward to the podium upon recognition by the Mayor. No matter raised in Public Forum may be the subject of deliberation or action but may be referred to the City Manager for action at a later date. Please state your name and address for the record. In consideration of other citizens, we ask that you please limit your comments to three minutes and that repetition be avoided.*

### ADJOURNMENT

We/I, the undersigned, being members of the City Council of the City of North Las Vegas, Clark County, a municipality incorporated under the laws of the State of Nevada, do call a Special City Council Meeting on Wednesday, November 16, 2022, at 3:00 PM in the Council Chambers, City Hall, 2250 Las Vegas Boulevard North, North Las Vegas, Nevada 89030



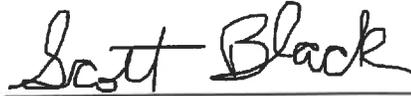
John J. Lee, Mayor



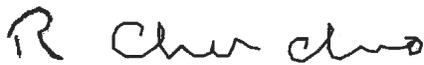
Pamela A. Goynes-Brown, Mayor Pro Tempore



Isaac E. Barron, Councilman



Scott Black, Councilman



Richard J. Cherchio, Councilman



ATTEST: Jackie Rodgers, City Clerk

*The City Clerk keeps the official record of all proceedings of the City Council. In order to maintain a complete and accurate record of all proceedings, any photograph, map, chart, or other document used in any presentation to the Council should be submitted to the City Clerk. If materials are to be distributed to members of the City Council, please provide thirteen copies for distribution to the City Manager, Assistant City Manager, City Attorney, City Clerk, and Staff.*

**EXHIBIT B**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

NLV CITY CLERK  
STE 800  
2250 LAS VEGAS BLVD  
NORTH LAS VEGAS NV 89030

Account # 22393  
Ad Number 0001215294

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/19/2022 to 11/19/2022, on the following days:

11 / 19 / 22

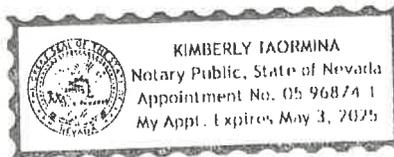
/s/

*[Signature]*  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 25th day of November, 2022

Notary

*[Signature: Kimberly Taormina]*



NOTICE OF PASSAGE

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING EMERGENCY ORDINANCES OF THE CITY OF NORTH LAS VEGAS, NEVADA, WERE PASSED AND ADOPTED ON THE 16th DAY OF NOVEMBER AS ENTITLED:

ORDINANCE NO. 3149

AN ORDINANCE CREATING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 66 (VILLAGES AT TULE SPRINGS VILLAGE 1); ORDERING A STREET PROJECT, A WATER PROJECT, A STORM SEWER PROJECT, AND A SANITARY SEWER PROJECT, WITHIN THE CITY OF NORTH LAS VEGAS, NEVADA; AND PROVIDING OTHER MATTERS RELATED THERETO.

THOSE VOTING AYE: Mayor Lee, Mayor Pro Tempore Goynes-Brown, Council Members Barron and Black  
THOSE VOTING NAY: None  
THOSE ABSTAINING: None  
THOSE ABSENT: Councilman Cherchio

ORDINANCE NO. 3150

AN ORDINANCE CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 66 (VILLAGES AT TULE SPRINGS VILLAGE 1) AND ASSESSING THE COST OF LOCAL IMPROVEMENTS AGAINST THE ASSESSABLE PROPERTY BENEFITED BY THE LOCAL IMPROVEMENTS; AND PROVIDING OTHER MATTERS RELATED THERETO.

THOSE VOTING AYE: Mayor Lee, Mayor Pro Tempore Goynes-Brown, Council Members Barron and Black  
THOSE VOTING NAY: None  
THOSE ABSTAINING: None  
THOSE ABSENT: Councilman Cherchio

ORDINANCE NO. 3151

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF NORTH LAS VEGAS OF ITS SPECIAL IMPROVEMENT DISTRICT NO. 66 (VILLAGES AT TULE SPRINGS VILLAGE 1) LOCAL IMPROVEMENT BONDS, SERIES 2022; AND APPROVING THE FORM OF CERTAIN DOCUMENTS WITH RESPECT TO SUCH BONDS; RATIFYING ACTION TAKEN BY CITY OFFICERS TOWARD THE ISSUANCE OF SUCH BONDS; AND PROVIDING OTHER MATTERS RELATED THERETO

THOSE VOTING AYE: Mayor Lee, Mayor Pro Tempore Goynes-Brown, Council Members Barron and Black  
THOSE VOTING NAY: None  
THOSE ABSTAINING: None  
THOSE ABSENT: Councilman Cherchio

/s/ Jackie Rodgers  
Jackie Rodgers, City Clerk

PUB: Nov. 19, 2022  
LV Review-Journal