



AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 16, 2018

DEPARTMENT: PLANNING

DIRECTOR: ROBERT SUMMERS

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE #180 - Discussion for possible action regarding the approval of an Appeal of a Work Card Denial for Dion Thompson db at RSK Analytical Laboratories, 241 West Charleston Boulevard, Las Vegas, NV 89102 - Ward 3 (Coffin)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Discussion for possible action regarding the approval of an Appeal of a Work Card Denial for Alton Dion Thompson.

RECOMMENDATION:

Recommendation to be provided following the discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Affidavit of Support
2. Location Map
3. Backup Submitted from the May 2, 2018 City Council Meeting

Motion made by BOB COFFIN to Approve as amended

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

CEDRIC CREAR, MICHELE FIORE, BOB COFFIN, CAROLYN G. GOODMAN, LOIS TARKANIAN, STAVROS S. ANTHONY, STEVEN G. SEROKA; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MARY McELHONE, Deputy Director of Planning, stated that Metro (Las Vegas Metropolitan Police Department) conducted an investigation on ALTON THOMPSON, an employee of RSR Analytical Laboratories, which is a marijuana testing facility. Several items led to the denial of the work card including that MR. THOMPSON did not disclose his criminal history on the work card application he submitted to Metro; he had outstanding warrants in California from 2014;

CITY COUNCIL MEETING OF: MAY 16, 2018

and he has been a resident of Nevada since October 2016 but did not obtain a Nevada driver's license or State identification card.

ATTORNEY KIMBERLY MAXSON-RUSHTON, Cooper Levenson, appeared on behalf of RSR Analytical Laboratories. She was accompanied by RICK RUSHTON, Co-owner/Partner and Managing Director of RSR Analytical Laboratories, and MR. THOMPSON. She stated that RSR Laboratories has complete confidence in MR. THOMPSON; he has been employed by the company for nearly one year and disclosed his background to them at the time of employment, and they believe that is not his current or future path. The company supports his application and appeal and requested that the Council allow his continued employment with RSR.

MR. THOMPSON requested approval of the appeal. He is confident in his ability to do the job, and he is a model citizen. Regarding not disclosing information, MR. THOMPSON explained that prior to submitting the application to Metro, he spoke to the clerk and disclosed the details. He also told her these matters were expunged, and she told him he did not have to disclose it on the application, so he submitted the application without that information.

MR. RUSHTON stated that MR. THOMPSON has been an exemplary employee and is a problem solver. The State requires the business to do mandatory testing; MR. THOMPSON does a great job heading that department, and they need him back.

COUNCILMAN COFFIN thanked MR. THOMPSON for his patience while things were being investigated and thought it was possible that he misunderstood what expunged meant. His felonies and warrants were not major felonies, but they needed to be disclosed. The Councilman congratulated MR. THOMPSON for being a part of this business. There is an element of trust that is prevalent in this industry, and it is up to the testers to determine what is in the product being sold to the community. Honesty, integrity and accuracy are critical in order to maintain this business. COUNCILMAN COFFIN stated that MR. THOMPSON needed to get a Nevada driver's license/identification, and a one-year required review of the work card would be added as well. ATTORNEY MAXSON-RUSHTON stated they had no objection to providing evidence that MR. THOMPSON obtained a Nevada permit or driver's license within 30 days and agreed with the one-year review. MR. THOMPSON was in agreement as well.

MS. McELHONE also recommended a site-specific work card so it would only be good at that location.

COUNCILMAN COFFIN explained that meant that MR. THOMPSON would not be able to work in another laboratory without the permission of the Council, and ATTORNEY MAXSON-RUSHTON stated that was consistent with the State obligation as well, as a new agent card is required each time someone moves to another location.

COUNCILWOMAN TARKANIAN asked how old MR. THOMPSON was when he had the problems, and MR. THOMPSON replied he was 18.

CITY COUNCIL MEETING OF: MAY 16, 2018

COUNCILMAN CREAR thought that people should have opportunities to improve themselves, and problems in their past should not have to follow them around for the rest of their lives. He applauded MR. THOMPSON for appealing the denial to the Council.

COUNCILWOMAN FIORE asked for an explanation of expunged, and ATTORNEY MAXSON-RUSHTON explained that in Nevada, records are sealed not expunged. In Nevada there are caveats that when an individual is applying for a privilege license, they may be asked to disclose their background. In other jurisdictions, records are expunged, so it is as if it never existed. Depending on the law enforcement agency, the arrest may show up with a disposition showing expunged or it may be eliminated as if it did not happen.

COUNCILWOMAN FIORE stated this happened 20 years ago; because it was expunged, she hoped he would not have to go through this again. She felt he was an asset to society, and she was in support.

COUNCILMAN COFFIN indicated he would stop in and see the lab.

