

Carolyn G. Goodman, Mayor (At-Large)
Stavros S. Anthony, Mayor Pro Tem (Ward 4)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Cedric Crear (Ward 5)
Michele Fiore (Ward 6)



City Manager Jorge Cervantes
City Attorney Bryan K. Scott
City Clerk LuAnn D. Holmes

City Council Minutes

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

January 20, 2021
9:00 AM

CEREMONIAL MATTERS

1. Call to Order

Minutes:

MAYOR GOODMAN called the meeting to order at 9:01 a.m.

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY (excused at 12:13 p.m.), FIORE, CREAR, KNUDSEN, SEAMAN, and DIAZ

ALSO PRESENT: CITY MANAGER JORGE CERVANTES, DEPUTY CITY ATTORNEY JEFF DOROCAK, DEPUTY CITY ATTORNEY JIM LEWIS and CITY CLERK LUANN D. HOLMES

2. Announcement Regarding: Compliance with Open Meeting Law

Minutes:

ANNOUNCEMENT MADE: This meeting has been properly noticed and posted at the following locations in accordance with the State of Nevada Executive Department Declaration of Emergency Directive 006: The City of Las Vegas website – www.lasvegasnevada.gov and The Nevada Public Notice Website – notice.nv.gov.

3. Invocation - Reverend Vincent Jordan, Victory Missionary Baptist Church

Minutes:

A moment of silence was held, and MAYOR GOODMAN wished peace and good health to all.

4. Pledge of Allegiance

Minutes:

MAYOR GOODMAN led the audience in the Pledge of Allegiance.

BUSINESS ITEMS - 9 A.M. SESSION

PUBLIC COMMENT

5. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

Speaking to Item 30, DANIEL BRAISTED felt that speed humps were a luxury, and the City should be using that money to take care of the citizens who are struggling.

BUSINESS ITEMS - 9 A.M. Session

6. For Possible Action - Any items from the 9 a.m. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Motion made by Stavros Anthony to Hold in Abeyance Items 54a-54b to 2/17/2021 and Withdraw Item 55d

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

CITY CLERK LUANN D. HOLMES and DEPUTY CITY ATTORNEY JEFF DOROCAK read e-comments received for Items 54a-54b, copies of which were attached as backup.

7. For possible action to approve the Final Minutes by reference of the December 16, 2020 Regular City Council Meeting

Motion made by Stavros Anthony to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

CONSENT AGENDA

Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

CITY ATTORNEY - CONSENT

8. For possible action to approve additional funding for Shute, Mihaly & Weinberger LLP to represent the City of Las Vegas in the following actions: 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-17-758528-J, NSC Case Nos. 77771, 78792, USDC Case No. 2:19-cv-1467-KJD-DJA; 180 Land Company, LLC, et al. v. City of Las Vegas, 8JDC Case No. A-18-780184-C, USDC Case No. 2:19-cv-1471-JCM-EJY; Fore Stars, Ltd., et al. v. City of Las Vegas, et al., 8JDC Case No. A-18-773268-C, USDC Case No. 2:19-cv-1469-JAD-NJK; and 180 Land Company, LLC v. City of Las Vegas, 8JDC Case No. A-18-775804-J, USDC Case No. 2:19-cv-1470-RFB-BNW, relating to the development of a portion of the former Badlands Golf Course for an amount not-to-exceed \$100,000 (General Fund) - Ward 2 (Seaman)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

COUNCILWOMAN SEAMAN said this request for additional funds for Badlands litigation defense will exhaust the entire \$500,000 that was budgeted for this fiscal year. With five months left in this fiscal year, any additional funds will have to be drawn from other accounts. This highlights the need for a resolution, and while she works towards that resolution, she will vote to approve these funds to defend the City and taxpayers.

Speaking to Items 9-11, KATHI THOMAS, Director of Community Services, submitted addendums that specify which non-profits the City can support and excludes another non-profit that is currently under investigation. Copies of the addendums were submitted and attached as backup.

Speaking to Item 30, COUNCILWOMAN DIAZ said these funds come from a specific source, and the City cannot take money that has already been allocated and use it elsewhere. CITY MANAGER JORGE CERVANTES confirmed this money comes from a capital account and is used under the parameters of the Traffic Management

Program.

Additionally, these types of activities have been in the works for at least a year and require various studies before the money is spent.

COMMUNITY SERVICES - CONSENT

9. For possible action to approve the 2020-2021 Interlocal Agreement for Shared Funding of the Homeless Census and Evaluation between the cities of Las Vegas, North Las Vegas, Henderson, Boulder City and Clark County with the City of Las Vegas' contribution of \$6,854.70 (General Fund) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

See Item 8 for related discussion.

10. For possible action to approve the 2020-2021 Interlocal Agreement for Shared Funding of the Homeless Management Information System (HMIS) between the cities of Las Vegas, North Las Vegas, Henderson, Boulder City and Clark County with the City of Las Vegas' contribution of \$65,984.62 (General Fund) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

See Item 8 for related discussion.

11. For possible action to approve the 2020-2021 Interlocal Agreement For Shared Funding of Inclement Weather Shelter between the cities of Las Vegas, North Las Vegas, Henderson, Boulder City and Clark County with City of Las Vegas' contribution of \$179,027.70 (General Fund) - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

See Item 8 for related discussion.

FINANCE - PURCHASING AND CONTRACTS - CONSENT

12. For possible action to approve award of Modification No. 3 to Contract No. 130113-JL, Amendment to Maintenance and Support Agreement - Department of Public Works - Award recommended to: MOTOROLA SOLUTIONS, INC. (\$759,500 Year One/Total Contract Amount Not-to-Exceed \$979,161 - City Facilities Capital Projects Fund) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

FIRE AND RESCUE - CONSENT

13. For possible action to approve an interlocal agreement between the City of Las Vegas and Clark County for the transfer of fire and rescue equipment valued at \$96,425.83 funded by the Federal Fiscal Year 2018 Homeland Security Grant Program - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
14. For possible action to approve an interlocal agreement between the City of Las Vegas and the City of North Las Vegas for the transfer of fire and rescue equipment valued at \$38,399.40 funded by the Federal Fiscal Year 2018 Homeland Security Grant Program - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
15. For possible action to approve an interlocal agreement between the City of Las Vegas and the City of Mesquite for the transfer of fire and rescue equipment valued at \$9,576 funded by the Federal Fiscal Year 2018 Homeland Security Grant Program - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
16. For possible action to approve an interlocal agreement between the City of Las Vegas and the City of Boulder City for the transfer of fire and rescue equipment valued at \$9,744 funded by the Federal Fiscal Year 2018 Homeland Security Grant Program - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;
17. For possible action to approve an interlocal agreement between the City of Las Vegas and the City of Henderson for the transfer of fire and rescue equipment valued at \$43,796.77 funded by the Federal Fiscal Year 2018 Homeland Security Grant Program - All Wards
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

OFFICE OF GOVERNMENT AND COMMUNITY AFFAIRS - CONSENT

18. For possible action to approve the ratification of Jeff Waufle in a Council support position as a Special Assistant to Council in the Ward 6 office (\$63,203 + Benefits - General Fund) - Ward 6 (Fiore)
- Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None
- Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
- For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Diaz;

PLANNING - BUSINESS LICENSING - CONSENT

19. For possible action to approve a Temporary Tavern License for a Change of Ownership FROM: ESCO, LLC TO: TEMPO ULTRA LOUNGE, LLC dba TEMPO ULTRA LOUNGE at 1000 East Sahara Avenue, Suite #105 - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

20. For possible action to approve a Tavern-Limited License for a Change of Ownership FROM: FC LA BOMBA, LLC TO: LEVEL ONE BAR & LOUNGE, LLC dba LEVEL ONE BAR & LOUNGE at 1410 South Main Street [Jimmy L. Smith, Managing Member] - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

21. For possible action to approve a Tavern-Limited License for a Change of Ownership FROM: LAS VEGAS FLIPPIN GOOD 1, LLC TO: NACHO DADDY, LLC dba FLIPPIN GOOD CHICKEN, BURGERS, BEER at 505 East Fremont Street - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

22. For possible action to approve a Restaurant Service Bar License for DT FERGUSONS FB II, LLC dba VEGAS TEST KITCHEN at 1020 Fremont Street, Suite #120 - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

23. For possible action to approve a Beer/Wine/Cooler On-Sale License for VIAGGIO VITA, LLC dba ISLAND FLAVOR at 9650 West Skye Canyon Park Drive, Suite #170 - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

24. For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: LV PETROLEUM, LLC TO: TROPICANA AVE CAR WASH 1, LLC dba US GAS at 6100 West Charleston Boulevard [Michael Douglas White, Managing Member] - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia

Diaz;

25. For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: LV PETROLEUM, LLC TO: LV PETROLEUM, LLC dba US MARKET at 7790 West Sahara Avenue [Lisette Amiel, Managing Member] - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

26. For possible action to approve a Beer/Wine/Cooler Off-Sale License for TERRIBLE HERBST, INC. dba TERRIBLE'S #385 at 2222 Fremont Street - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

27. For possible action to approve a Restricted Gaming License for JETT GAMING, LLC dba JETT GAMING, LLC db at TERRIBLE'S #385 at 2222 Fremont Street - Ward 3(Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

28. For possible action to approve a Slot Operator License for a Change of Ownership FROM: JETT GAMING, LLC TO: JETT GAMING, LLC dba JETT GAMING, LLC at 3440 West Russell Road - Clark County, Nevada

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

29. For possible action to approve a Massage Establishment License for NV FLOAT, LLC dba NV FLOAT THERAPY at 2291 South Fort Apache Road, Suite #106 [Arevik Mucikyan, Managing Member] - Ward 2 (Seaman)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

PUBLIC WORKS - CONSENT

30. For possible action to approve the installation of speed humps on Ballard Drive between Burnham Avenue and Eastern Avenue (\$14,300 - Traffic Improvements Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

Minutes:

See Items 5 and 8 for related discussion.

31. For possible action to approve a Sewer Over-Sizing Refunding Agreement between the City of Las Vegas (CLV) and KB Homes Las Vegas, Inc. for an over-sized sewer generally located in Ann Road, west of CC215 Beltway (\$143,462 - Sanitation Fund) - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

32. For possible action to approve Interlocal Agreement No. 138818-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water commitment services to be provided for the Historic Westside Legacy Park Project generally located on Mount Mariah Drive, west of Martin L. King Boulevard, and south of Lake Mead Boulevard (\$15,893 - Parks and Recreation Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

33. For possible action to approve Interlocal Agreement No. 137048-A between the City of Las Vegas (CLV) and the Las Vegas Valley Water District (LVVWD) for water commitment services to be provided for the California Street Complete Street Project generally located on California Street, between Commerce Street and 3rd Street (\$32,680 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

34. For possible action to approve Supplemental Interlocal Contract No. 2 - 987B between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to extend the funding contract expiration date to December 31, 2024, for construction for the Downtown Vehicle and Pedestrian Safety Streetlight Improvements Project at various locations - Wards 3 and 5 (Diaz and Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

35. For possible action to approve Supplemental Interlocal Contract No. 8 - 470H between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to extend the funding contract expiration date to December 31, 2025, for Phase 4 of the Summerlin Parkway, CC-215 to US-95 Project - Wards 1, 2 and 4 (Knudsen, Seaman and Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

36. For possible action to approve Supplemental Interlocal Contract No. 12 - 484L between the City of Las Vegas (CLV) and the Regional Transportation Commission of Southern Nevada (RTC) to extend the funding contract expiration date to June 30, 2023, for the Lamb Boulevard/Charleston Boulevard Traffic Improvements Project - Ward 3 (Diaz)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

37. For possible action to approve the removal of parking in the cul-de-sac on the east end of Peaceful Dawn Avenue (\$1,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 4 (Anthony)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

38. For possible action to approve the installation of a speed cushion on Elton Avenue between Jones Boulevard and Wallace Drive (\$5,500 - Traffic Improvements Capital Project Fund [CPF]) - Ward 1 (Knudsen)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RESOLUTIONS - CONSENT

39. R-4-2021 - For possible action to approve a Resolution regarding the apportionment of surplus amounts remaining in the special fund created for the City of Las Vegas, Nevada, Special Improvement District (SID) No. 1487 Jones Blvd (Beltway to Elkhorn Rd) - (Special Assessment-SID 1487 Jones Blvd Beltway to Elkhorn Rd - \$82,279.32) - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

40. R-5-2021 - For possible action to approve a Resolution directing the City Treasurer to give notice of the sale of properties subject to the lien of a delinquent assessment in the Special Improvement Districts 607, 609, 610, 808, 809, 810, 812, 813, 814, 815 and in certain other districts and providing other matters properly relating thereto - Wards 2, 4 and 6 (Seaman, Anthony and Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

41. R-6-2021 - For possible action to approve a Resolution regarding the extension of the authority of the Director of the Department of Planning to extend administratively a temporary business license of any licensee who has exhausted all applicable temporary-license extensions under Title 6 of the Las Vegas Municipal Code prior to the cessation of the COVID-19 emergency - All Wards

Motion made by Stavros Anthony to Approve the Consent Agenda except Item(s) None

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

DISCUSSION/ACTION ITEMS

PLANNING - BUSINESS LICENSING - DISCUSSION

42. ABEYANCE ITEM - Discussion for possible action regarding a Tavern License for MORINOS ENTERPRISES, LLC dba COCOS BAR & GRILL at 1815 East Charleston Boulevard [Ruben Moreno, Managing Member] - Ward 3 (Diaz)

Minutes:

PETER LOWENSTEIN, Deputy Planning Director, explained an Area of Concern report was received from the Las Vegas Metropolitan Police Department (Metro) for this licensee on October 2, 2020. The licensee has been operating on a temporary license since October 28, 2019 with conditions that MR. LOWENSTEIN read for the record. Additionally, several negative incidents have taken place over this year. During an undercover operation on February 1, 2020, cocaine was sold by staff members to undercover officers and minors were allowed into the venue as no identification cards were being checked. On August 15, 2020, a 911 call asking for police to respond was disconnected. Reporting officers discovered it was due to an altercation inside the establishment and found underage individuals and some without any identification at all. Additionally, none of the patrons were wearing masks. On September 11, 2020, an emergency closure was issued for 36 hours by Metro's Special Investigations Section for COVID-19 violations. These violations were prohibited by the Governor's Directive in addition to Las Vegas Municipal Code (LVMC) that also included: nightclub activity, live entertainment with a DJ, liquor being sold without food, dancing and working without a work card or an alcohol awareness card. On November 14, 2020, a field inspection was conducted by Business License Section Manager LATANIA WEBB, finding the business operating as a nightclub again even after the emergency closure and \$1,500 fines were issued. MR. LOWENSTEIN concluded by recommending denial of the permanent business license.

MAYOR GOODMAN recalled this item being before the Council in December and the lengthy discussions that took place.

ATTORNEY RANDALL LEONARD said a recent inspection took place on January 16, 2020, and no incidents or problems were reported. Additionally, the business model has been changed to operate as a hookah lounge only, not a nightclub. The music levels have decreased, and new employees have been hired. He also pointed out that many of the incidents happened before RUBEN MORENO took over. If this license is granted, MR. MORENO plans on installing several security cameras to prevent these types of incidents from happening again.

MAYOR GOODMAN recalled dialogue that took place in December about the security guards being replaced, and MR. MORENO confirmed that he hired new security guards, and they were trained by a retired military police officer. The guards should now do a better job at verifying identification and keep an eye on the establishment.

MAYOR GOODMAN asked what the prior decision was about allowing the business to continue their operations, and MR. LOWENSTEIN confirmed that the business was allowed to continue operating. He also verified that a recent inspection took place and the establishment was in compliance.

COUNCILWOMAN DIAZ had spoken to MR. MORENO, who told her he was not aware of the illegal activities that had taken place. She said nightclubs tend to bring activity that cannot be stopped, and thought it was a wise decision to change his business model to a hookah lounge. The Councilwoman appreciated his efforts and was glad to hear about the recent inspection results. She pointed out that this is a privileged license, and that is why there needs to be zero tolerance for any illegal activity on the premises. At her request, MR. LOWENSTEIN then read the conditions for the license if it were to be approved.

MR. LEONARD requested that staff allow extended hours on the weekends.

COUNCILWOMAN FIORE asked what conditions the applicant could work with given the pandemic. MR. MORENO said he has two security guards present at all time, as he only has a 45-person capacity. He said it would be too expensive to hire another company, and he offered to send the current officers' credentials to the City.

COUNCILMAN CREAR reminded the applicant that he is on a temporary license, and he felt that MR. MORENO did not earn the right to hold the permanent license. He said the responsibility of the business and the activity that takes place there ultimately lies with the owner and nobody else can be blamed. He asked if the temporary license could be extended, and MR. LOWENSTEIN said the temporary license as already been extended twice. There is a caveat in the Emergency Resolution that will allow an administrative extension but under standard operating procedures, this would be the point where the Council makes a final decision.

MAYOR GOODMAN asked COUNCILWOMAN DIAZ to consider the hours when the establishment is less busy and whether three guards was necessary, and to allow extended hours on the weekends.

COUNCILWOMAN DIAZ asked MR. LOWENSTEIN to clarify the difference between the security MR. MORENO currently has and what is mandated by the condition. MR. LOWENSTEIN said the condition would go beyond what the applicant already has. Three security guards from a company who is City and State licensed would be required: one monitoring the exterior, one stationed at the entrance and one roaming the interior. COUNCILWOMAN DIAZ asked if the approval would be contingent upon the city and state licensed security company, and MR. LOWENSTEIN said the security plan would be reviewed by the Business Licensing Department. The Councilwoman then asked MR. MORENO what hours he would propose, who said he opens at 8:00 p.m., but his busiest time is between the hours of 10:00 p.m. and 5:00 a.m. COUNCILWOMAN DIAZ asked if these conditions will still apply when they switch their operations from a nightclub to a tavern, and MR. LOWENSTEIN confirmed that these conditions were placed on the tavern license and they will roll onto any additional operation. The Councilwoman felt it was important to have City and State approved security guards, but understood that asking for three guards is erroneous. She said there could be only one security guard present while the business is operating as a hookah lounge before 10:00 p.m. but there must be two security guards after 10:00 p.m. She added that if MR. MORENO decides to change his business activity, then the third security guard will be required. MR. MORENO asked if a DJ is considered live music, and MR. LOWENSTEIN said background ambient music is not considered live music, but it falls into the nightclub category when a DJ is performing. MR. MORENO said he does not promote any DJs, and MR. LOWENSTEIN clarified that if DJ music is being played and people are dancing, that form of entertainment falls into the nightclub category. COUNCILWOMAN DIAZ said she was comfortable with allowing the establishment to stay open until 3:00 a.m. Friday through Sunday, but wondered if these hours could be adjusted after one year and verifying that no calls for service or other incidents have taken place. MR. LOWENSTEIN confirmed the hours can be adjusted.

COUNCILWOMAN DIAZ asked MR. MORENO if he had a use for being open during the day, who said he would like to have the ability to operate the establishment during the daytime. MAYOR GOODMAN was concerned about the security guard aspect if MR. MORENO starts to get busier outside of the conditioned hours. COUNCILWOMAN DIAZ asked if the condition could be flexible to consider COVID-19 restrictions surrounding capacity limits, and MR. LOWENSTEIN said the need for security can be revisited during the one-year administrative review. MAYOR GOODMAN confirmed through MR. MORENO that he will be in contact with the City if restrictions are lifted and he would like to pursue other business operations.

MR. MORENO asked if the individuals who are involved in the illegal activity can be arrested and prosecuted because he is not aware of who is doing it. MAYOR GOODMAN said he should put signage up that specifies MR. MORENO'S expectations and the consequences for not adhering to them. MR. MORENO said he did send a message out to all his employees about prohibiting this type of behavior, but that is all he can do when he does not see any of this activity himself. MAYOR GOODMAN felt this was a topic that should be revisited with all of the establishments within the city, and called upon CITY MANAGER JORGE CERVANTES for assistance. MR. CERVANTES said if there is an arrest, it should be reflected on their Sheriff's card so that any future employer can see their record. MR. LEONARD said there is a lack of communication between the police and MR. MORENO, which makes it hard for him to address specific individuals. COUNCILMAN ANTHONY confirmed that security guards are required to hold a Sheriff's card, and that information will be made available during a background check. MR. MORENO said waitresses, cooks, and some other positions are not required to have a Sheriff's card; therefore, there would be no information to find on those individuals. MAYOR GOODMAN said this issue was not agendaed for discussion, and advised that MR. CERVANTES would do further research.

MR. LEONARD confirmed that MR. MORENO was in agreeance with all conditions and amendments.

MR. MORENO asked if the one-year administrative review could be shortened, and MR. LOWENSTEIN said the applicant can make any request to his office prior to that date, but the administrative review is to look over the security plan and calls for service. COUNCLWOMAN DIAZ said she would like to keep the one-year timeframe.

Motion made by Olivia Diaz to Approve and adding the following conditions as read for the record:

- A. Josabahad and Daniela Gonzalez-Varela are prohibited from being involved in the business operations.
- B. No one under 21 years of age is authorized on the premises.

- C. The hours of operation shall be limited to 8AM to 11:59PM on Monday through Wednesday and from 8AM to 3AM Thursday through Sunday.
- D. At least one key employee or principal (approved for suitability) shall be on the premises of the establishment at all times the establishment is open.
- E. A City and State licensed security company (approved under NRS 648), must be contracted to provide security services at all times the business is open.
- F. During the hours of operation before 10:00PM there must be a minimum of one (1) security personnel on the business premises. During the hours of operation from 10:00PM to 3:00AM there must be a minimum of two (2) security personnel on the business premises. One (1) stationed at the entrance of the establishment and one (1) roaming the interior and exterior (common areas).
- G. An approved security plan and floor plan must be on file with the Business Licensing Division, and must be adhered to at all times. Any changes to the approved security plan must be pre-approved by the Director or designee prior to implementation. The security plan must include:
 - 1. Monitor and control guest activity within the parking lots to prevent guests from parking in adjacent parking lots.
 - 2. No interior noise shall be audible beyond the property line when the exterior doors are closed.
 - 3. Additional security cameras that provide sufficient coverage in the interior of the establishment and all parking lot areas.
- H. Any criminal or violent activity must be immediately reported to Metro at the time of incident.
- I. Business must report any law enforcement activity on premises within 24 hours of incident to the City of Las Vegas Business licensing Division. Such notification must be in writing, or via e-mail to enforcement@lasvegasnevada.gov.
- J. Business employees or agents may not hinder, obstruct or delay any officer of the City or the Las Vegas Metropolitan Police Department from conducting an inspection or investigation.
- K. One-year administrative review.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BOARDS AND COMMISSIONS - DISCUSSION

- 43. Discussion for possible action regarding the reappointment of members to the Community Development Recommending Board from the following list of nominees: Karmen La'Shaun Miller (Mayor's Designee), Terri O'Rourke, David Marlon and Mack McKnight (Ward 1), Laura J. Bruno-Walsh (Ward 2), Patricia Haddad and Erika Washington (Ward 3), Terri Janison (Ward 4), Wesley Harper and Sydni Sayles (Ward 5) and the appointment of nominees Ignacio Prado (Ward 3), Richie Box (Ward 5) and Jimmi Mckee (Ward 6)

Motion made by Carolyn Goodman to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

44. Bill No. 2020-39 - ABEYANCE ITEM - For possible action - Amends LVMC Chapter 6.50 to establish a new alcohol delivery support service alcoholic beverage license category, together with associated requirements and limitations, and expand the categories under which a business can exercise an ancillary alcoholic beverage license. Sponsored by: Councilman Stavros S. Anthony

Minutes:

Using a PowerPoint presentation, a copy of which was submitted and attached as backup, DEPUTY CITY ATTORNEY JEFF DOROCAK said this bill went to three Recommending Committee meetings and no recommendation was made. Prior to his explanation of the bill and the proposed amendments, MR. DOROCAK advised that this will be in the code beyond COVID-19 restrictions. Currently, any grocery store possessing a packaged liquor license and an ancillary license can deliver alcoholic beverages. This bill would change that to allow any business that sells alcoholic beverages for off-premise consumption and has an ancillary license to deliver. The current code states that only a grocery store with the licenses can deliver, not a third party. This bill would also allow a business with the licenses needed to deliver or they can contract with a third-party company after obtaining the new alcohol delivery support service license. Additionally, the current code allows alcoholic beverages to be delivered anywhere in the city in conjunction with the delivery of groceries in the same order, whereas this bill would no longer require the grocery delivery component.

MR. DOROCAK said two amendments were discussed with the Recommending Committee that surround changes to where alcoholic beverages can be delivered. Under Version 3, delivery would be allowed anywhere in the city except parcels where non-restricted gaming is conducted. This exception does not apply to grocery stores. Version 4 would restrict the delivery to only residential properties, and also does not apply to grocery stores. Additionally, he noted that public comment was received that requested the prohibition of delivery to businesses that already have an alcohol license, such as a restaurant. MR. DOROCAK said this could be incorporated into the bill if the Council wished to do so.

MAYOR GOODMAN asked if that prohibition could be incorporated into either Version 3 or Version 4, and MR. DOROCAK said it could be incorporated into Version 3 which would then prohibit delivery to non-restricted gaming and premises with an alcohol license. It would not be needed in Version 4 because that restricts delivery to residential parcels only. MAYOR GOODMAN then asked how residential was defined and wondered if it included short-term rentals, and PETER LOWENSTEIN, Deputy Planning Director, said it is described as single-family duplexes and multi-family units are considered residential properties. This would additionally allow for delivery to short-term rentals.

COUNCILWOMAN SEAMAN asked if Version 4 would remove caterers that are delivering alcohol to businesses for events, and voiced her support for Version 3. MR. DOROCAK said the caterer could still deliver under their license, and he added that Version 4 seemed like it was less desirable for this very reason.

COUNCILMAN ANTHONY said citizens came to him months ago and said the COVID-19 restrictions have made it difficult for businesses to stay profitable. One of the ideas they had was to provide a license for businesses that would allow them to deliver their alcoholic beverages. It is expensive to hire someone to do that, and that is why a third-party option was considered. He said the only issue that came up with the Recommending Committee was the non-restricted gaming section. He agreed that hotels and casinos should not allow their guests to have alcohol delivered to their room when they could buy it on the property. The Councilman said this is simply an option for a business to hire a third party to deliver to people in the city with the exception of gaming properties. Nobody opposed the ordinance or Version 3 at the most recent Recommending Committee meeting, and he felt this allows businesses to expand during these tough times.

MAYOR GOODMAN was concerned about the small businesses that pay to have license fees, and said they need to be protected and excluded just like non-restricted gaming parcels.

COUNCILWOMAN FIORE was in support of businesses being able to get creative during this pandemic, but had concerns because a few of the city's staple liquor stores are uncomfortable with the bill. Until she felt that everyone who is affected by this is comfortable, she could not support it.

COUNCILMAN KNUDSEN thanked COUNCILMAN ANTHONY for bringing this forward, and expressed his excitement for the new opportunities being provided to businesses. When Version 4 was produced, several people reached out to him to express their concerns surrounding the burden that comes along with having to verify if the parcel is residential or commercial. He felt some language needed to be cleaned up so that grocery stores can also not deliver to non-restricted gaming establishments. He said Version 3 appears to be the compromise

everyone is looking for an expressed his support for the bill.

COUNCILWOMAN DIAZ understood that businesses have sought flexibility because of COVID-19. She said adopting this ordinance means it will be in effect post-pandemic, and she did not know if it was wise to adopt something that may bring unintended consequences. This may negatively affect the brick and mortar alcohol stores and there are public safety concerns that may arise. She also wondered where the accountability lies with this ordinance, and who will ensure the alcohol does not get into the wrong hands.

COUNCILMAN CREAR voiced his support for the ordinance and said there are similar ordinances in other states. He felt Version 3 made the most sense and said this will allow businesses to expand their services and reach a different market.

MAYOR GOODMAN asked how small restaurants are protected from having deliveries made there to a customer. COUNCILMAN CREAR said currently, the restaurant needs to allow someone to open a bottle of alcohol brought in from outside of their restaurant, and they can also charge a corkage fee. Nobody can walk in with a bottle of alcohol and open it without prior authorization. MR. DOROCAK added that if an establishment is not licensed to have liquor, liquor cannot be delivered and then distributed. Additionally, they expect businesses to control their operation and know what is coming in and out. He said the only way to give responsibility to the third-party delivery companies would be to prohibit them completely. MAYOR GOODMAN said the delivery service is a private involvement, and she reiterated her concern with protecting the small businesses. Many of them cannot charge extra for food and therefore make their money off of their drinks. Liquor licenses cost nearly \$75,000 and she does not want to put any business at risk.

COUNCILMAN KNUDSEN said many of the small businesses in his ward have contacted him and were in support of this bill because they see it as a way to reach a new audience. MAYOR GOODMAN was not concerned with deliveries from the restaurant; rather, she was concerned that patrons of a small business would have alcohol delivered from another establishment.

COUNCILWOMAN FIORE said right now, restaurants can deliver alcohol. The concern of the staple liquor stores is that anybody who sells packaged liquor, such as a gas station, can now deliver. Everything in place right now with the grocery stores and restaurants should stay permanent, and she did not want to upset the liquor stores.

VIRGINIA VALENTINE, Nevada Resort Association, appreciated all of the hard work staff had put into drafting this bill. She felt that it is important to have a prohibition for delivering to non-restricted gaming licensees, as they have a security responsibility to uphold. She said Version 3 would only prohibit deliveries to non-restricted gaming locations by the new licensee category, and asked that the Council prohibit any delivery to a non-restricted gaming property. They would not oppose the bill provided that they get assurance that a future bill addressing that prohibition would be considered. At the Mayor's request, CITY ATTORNEY BRYAN SCOTT said with any bill, the Council can make an amendment to an ordinance at any time. They are only agendized for the two versions that have been presented but they may continue to make comments with regards to any amendments. COUNCILMAN ANTHONY said COUNCILMAN KNUDSEN volunteered to sponsor an ordinance that would address MS. VALENTINE'S concerns.

RYAN SAXE appeared representing Instacart, Amazon and Shipt, who are third-party grocery delivery companies that currently deliver for most of the licensed grocery stores in the city of Las Vegas. He said their customers are looking for alcohol to be delivered without the requirement of ordering groceries. Their employees have already been safely delivering alcohol in other jurisdictions without any violations or health concerns, and he expressed his appreciation for COUNCILMAN ANTHONY'S leadership in sponsoring this ordinance. MR. SAXE pointed out that this ordinance would support brick and mortar locations, as these companies can decrease their costs by contracting with a third-party company for delivery services. The delivery of alcohol has been shown to decrease DUI (Driving Under the Influence) accidents, and this ordinance has incorporated strict alcohol security policies for the delivery companies that include training and checking identification. They support Version 3 because they understand the concerns from the hotel industry, and it would be unmanageable for companies to determine which businesses have liquor licenses and who does not.

ATTORNEY BOB GRONAUER appeared representing Albertson's. They are in support of Version 3 and understood the prohibition of delivery to non-restricted gaming properties. They were not in support of Version 4, as there are offices and businesses that have special occasions where food and alcohol are delivered and this version would prohibit that. In closing, he thanked the Councilmembers and City staff for all of their effort.

DEREK STONEBARGER, a limited tavern license holder, felt this was a great ordinance for small businesses. He pointed out that responsible tavern owners have everyone obtain a Sheriff's card, and suggested that anyone working for a delivery company obtain one as well. Just as a bartender is responsible for serving an alcoholic beverage to an underage individual, delivery companies should hold that same responsibility. Additionally, MR. STONEBARGER said stores such as Lee's Discount Liquor have an advantage because they can buy in bulk and get lower prices. Although he can charge a corkage fee, he would never allow anyone to open an alcoholic beverage on his property that has come from elsewhere. He believed that there will be less drunk driving if people drink at home, and one thing that makes small businesses unique is their cocktail list. If the small businesses could make their drinks, seal them, and have them delivered, that would help them a lot.

ATTORNEY ALISA NAVE-WORTH appeared representing 7-11, and thanked COUNCILMAN ANTHONY and staff for their hard work on this issue and thinking proactively. Now more than ever, Las Vegas residents are accessing a broad range of goods and services through home delivery. Delivery is the future, and 7-11 has seen a great demand for its offerings during the pandemic. They welcome the opportunity to offer their full range of products to their customers by expanding access to internet sales. This ordinance gives small businesses that cannot afford to operate a delivery fleet the ability to access this market by partnering with a third party delivery service. They are in support of the ordinance with the amendment that prohibits delivery to non-restricted gaming resorts. She added that 7-11 is working with other jurisdictions across the nation to ensure that alcohol is being delivered to the right people, and welcomed any further conversation.

COUNCILMAN ANTHONY said the business community came to him looking for help, and he has heard overwhelming support to allow this service. He has not heard one restaurant voice their opposition, and he wants to help these small businesses get through these difficult times.

MAYOR GOODMAN reminded everyone that the Council always welcomes communication and new ideas from the public, and said COUNCILMAN ANTHONY did a very thorough job on this.

Second Reading and Bill adopted as introduced as Ordinance No. 6763.

Motion made by Stavros Anthony to Approve as a First Amendment (Version 3)

NOTE: The video does not reflect the vote accurately, in that prior to hearing Item 55, Councilwoman Fiore requested that her vote be reflected in the affirmative.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

45. Bill No. 2021-1 - Amends the 2018 International Building Code, as adopted by the City, to amend Section 403.4.7 regarding smoke removal systems to provide for locally-appropriate adjustments and exceptions. Sponsored by: Councilwoman Michele Fiore

Minutes:

Recommendation noted.

2/3/2021 City Council

46. Bill No. 2021-2 - Amends the 2018 International Existing Building Code, as adopted by the City, to exempt from particular Code requirements certain types of alterations to existing buildings or structures within a redevelopment area, and to conform provisions regarding the installation of new plumbing fixtures to recently-adopted State law. Sponsored by: Councilwoman Michele Fiore

Minutes:

Recommendation noted.

2/3/2021 City Council

47. Bill No. 2021-3 - Amends the Southern Nevada Amendments to the 2018 International Swimming Pool and Spa Code, as adopted by the City, to correct language regarding the required distance between a pool or spa and a building or structure. Sponsored by: Councilwoman Michele Fiore
- Minutes:
Recommendation noted.
- 2/3/2021 City Council
48. Bill No. 2021-4 - Amends the Southern Nevada Amendments to the 2018 Uniform Mechanical Code, as adopted by the City, to correct contact information regarding certain boilers and water heaters. Sponsored by: Councilwoman Michele Fiore
- Minutes:
Recommendation noted.
- 2/3/2021 City Council
49. Bill No. 2021-5 - Amends the 2018 Uniform Plumbing Code and the Southern Nevada Amendments to the 2018 Uniform Plumbing Code, as adopted by the City, to make adjustments regarding plumbing fixtures to be consistent with State law and to make various other adjustments to reflect City-specific conditions. Sponsored by: Councilwoman Michele Fiore
- Minutes:
Recommendation noted.
- 2/3/2021 City Council
50. Bill No. 2021-6 - Adopts an updated Administrative Code pertaining to the administration and enforcement of the City's building and related technical codes (including fee tables), and makes a corresponding change to the City's Fire Code. Sponsored by: Councilwoman Michele Fiore
- Minutes:
Recommendation noted.
- 2/3/2021 City Council

PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to be routine non-public and public hearing items with a Planning Commission and/or Staff recommendation of approval. All public hearings and non-public hearings items will be opened at one time. Any person representing an application or a member of the public or a member of the City Council not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

51. 20-0114-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CRAFT STUDIOS, INC. DBA PINSPARATION - OWNER: 7208-7290 LAKE MEAD BOULEVARD HOLDINGS, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED 2,380 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITH A WAIVER TO ALLOW AN 80-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 7210 West Lake Mead Boulevard, Suites #7 and #8 (APN 138-22-601-004), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Motion made by Cedric Crear to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 52a-52c due to her son's involvement in the medical marijuana industry.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz; Did Not Vote-Stavros Anthony;

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 51-52c.

There being no one present to speak, she declared the Public Hearing closed for Items 51-52c.

52. 20-0167 - PUBLIC HEARING - APPLICANT: ACG DESIGN - OWNER: DP HOLDINGS, INC. - For possible action on the following Land Use Entitlement project requests on 0.39 acres at 2603 Highland Drive (APN 162-09-110- 016), M (Industrial) Zone, Ward 1 (Knudsen). The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL on the Land Use Entitlement project.

Minutes:

See Item 50 for related discussion and Items 52a-52c for related backup.

- 52a. 20-0167-VAR1 - TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED

Motion made by Cedric Crear to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 52a-52c due to her son's involvement in the medical marijuana industry.

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman; Did Not Vote-Stavros Anthony;

Minutes:

See Item 50 for related discussion and Items 52-52c for related backup.

- 52b. 20-0167-SUP1 - FOR A PROPOSED MAJOR AMENDMENT TO PREVIOUSLY APPROVED SPECIAL USE PERMIT (SUP-73838) TO ALLOW A 576 SQUARE-FOOT EXPANSION TO AN EXISTING MARIJUANA CULTIVATION FACILITY USE RESULTING IN AN OVERALL SQUARE-FOOTAGE OF 11,343 SQUARE FEET

Motion made by Cedric Crear to Approve the One Motion One Vote Agenda subject to condition(s) except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 52a-52c due to her son's involvement in the medical marijuana industry.

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman; Did Not Vote-Stavros Anthony;

Minutes:

See Item 50 for related discussion and Items 52-52c for related backup.

- 52c. 20-0167-SDR1 - FOR A PROPOSED MARIJUANA CULTIVATION FACILITY DEVELOPMENT WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS

Motion made by Cedric Crear to Approve the One Motion One Vote Agenda subject to condition(s)

except Item(s) None

NOTE: The video does not reflect the vote accurately, in that Mayor Goodman abstained from voting on Items 52a-52c due to her son's involvement in the medical marijuana industry.

Passed For: 5; Against: 0; Abstain: 1; Did Not Vote: 1; Excused: 0

For-Victoria Seaman, Cedric Crear, Michele Fiore, Brian Knudsen, Olivia Diaz; Abstain-Carolyn Goodman; Did Not Vote-Stavros Anthony;

Minutes:

See Item 50 for related discussion and Items 52-52c for related backup.

PLANNING - DISCUSSION

53. 20-0026 - PUBLIC HEARING - APPLICANT/OWNER: SURETE SIETE, LLC - For possible action on the following Land Use Entitlement project requests on 1.43 acres on the west side of Jones Boulevard, approximately 360 feet north of Smoke Ranch Road (APN 138-14-802-007), C-1 (Limited Commercial) Zone, Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (6-1 vote) recommends APPROVAL on the Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY DAVID BROWN explained the property is located off of Jones Boulevard, and it will hold up to 41 semi-trucks. The property will be well lit with security cameras, gating and intense landscaping. If approved, this project would have very little impact on traffic, as many of the truckers will only visit once a week. The applicant will also tell the drivers to not block any ingress or egress. He said the property owner was concerned that the C-1 (Limited Commercial) zoning would open the property up for uses that are not appropriate for the area.

PETER LOWNSTEIN, Deputy Planning Director, explained the area surrounding the subject site is primarily residential in nature with lighter commercial properties at major intersections that provide goods and services to the area patrons. The proposed General Plan Amendment and Rezoning would allow uses of a more intense character that should be located away from low and medium density residential development. Staff found no evidence of a unique or extraordinary circumstance to support the requested Variance and is evidence of the unsuitability of the proposed development in relation to neighboring development. As such, staff recommended denial of the project. MR. LOWNSTEIN read the amended conditions for the record, and MR. BROWN confirmed the applicant was in agreement.

COUNCILMAN CREAR inquired about the business hours, and MR. BROWN said it will be open 24-hours for trucker access.

See Items 53a-53e for related backup.

MAYOR GOODMAN declared the Public Hearing closed.

- 53a. 20-0026-GPA1 - FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL)

Minutes:

See Item 53 for related discussion and Items 53-53e for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 53b. 20-0026-ZON1 - FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL)

Minutes:

See Item 53 for related discussion and Items 53-53e for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 53c. 20-0026-VAR1 - TO ALLOW A PROPOSED UNPAVED SURFACE PARKING LOT WHERE SUCH IS NOT ALLOWED; A SOLID SCREEN WALL IN THE FRONT YARD OF A COMMERCIAL PROPERTY WHERE SUCH IS PROHIBITED; A NINE-FOOT TALL PERIMETER METAL FENCE WHERE EIGHT FEET IS ALLOWED; AND NON-DECORATIVE, NON-CONTRASTING MATERIALS WHERE SUCH IS NOT ALLOWED

Minutes:

See Item 53 for related discussion and Items 53-53e for related backup.

Motion made by Cedric Crear to Approve subject to conditions and amending Conditions 2 and 3 as read for the record:

2. A Variance to allow an unpaved parking lot surface where such is required is denied.
3. A Variance to allow a nine-foot tall perimeter fence where eight feet is the maximum height allowed is denied.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 53d. 20-0026-SUP1 - FOR A PROPOSED TRUCKING COMPANY USE WITH WAIVERS TO ALLOW MORE THAN 5 TRUCKS OR TRAILERS, AND TO ALLOW THE USE TO BE VISIBLE FROM ADJOINING STREETS

Minutes:

See Item 53 for related discussion and Items 53-53e for related backup.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 53e. 20-0026-SDR1 - FOR A PROPOSED PARKING FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO ALLOW AN EXISTING CHAIN LINK FENCE ADJACENT TO THE WEST PROPERTY LINE TO REMAIN, WHERE SUCH MATERIAL IS PROHIBITED

Minutes:

See Item 53 for related discussion and Items 53-53e for related backup.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

54. 20-0092 - PUBLIC HEARING - APPLICANT/OWNER: MAIN STREET INVESTMENTS II, LLC - For possible action on a Council Review of the Approval by the Planning Commission on the following Land Use Entitlement project requests on 0.48 acres at 1205 South Main Street and 1208 South Casino Center Boulevard (APNs 162-03-105-011 and 162-03-110-067), C-M (Commercial-Industrial) and C-1 (Limited Commercial) Zones, Ward 3 (Diaz). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (4-2-1 vote) APPROVED the

Land Use Entitlement project.

Minutes:

See Item 6 for related discussion and Items 54a-54b for related backup.

54a. 20-0092-SUP1 - FOR AN OPEN AIR VENDING USE

Minutes:

See Item 6 for related discussion and Items 54-54b for related backup.

Motion made by Stavros Anthony to Hold in Abeyance Items 54a-54b to 2/17/2020 and Withdraw Item 55d

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

54b. 20-0092-SDR1 - FOR A PROPOSED OUTDOOR FOOD COURT AND DINING AREA WITH WAIVERS OF APPENDIX F INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS

Minutes:

See Item 6 for related discussion and Items 54-54b for related backup.

Motion made by Stavros Anthony to Hold in Abeyance Items 54a-54b to 2/17/2020 and Withdraw Item 55d

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55. 20-0142 - PUBLIC HEARING - APPLICANT/OWNER: MARLON L JOHNSON - For possible action on the following Land Use Entitlement project requests on 0.92 acres at southwest corner of Mountain Trail and Sunset Drive (APNs 139-19-812-038 and 039), Ward 5 (Crear). Staff recommends DENIAL on the Land Use Entitlement project. The Planning Commission (6-0-1 vote) recommends APPROVAL on the Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 55-55e.

NATHAN TAYLOR appeared representing the application, and started by thanking the Council for their leadership and working to help small businesses during these difficult times. He said this is an area that is transitioning from residential to commercial, and the applicant has agreed to install a curb and sidewalk. No neighbors attended their community meeting and they are not aware of any opposition to the application. MR. TAYLOR said the applicant has also agreed to install perimeter landscaping, but they are still requesting to waive the interior landscaping requirement.

PETER LOWENSTEIN, Deputy Planning Director, explained the proposed General Plan Amendment and Rezoning would allow industrial uses directly adjacent to existing rural neighborhood residential properties to the north and west when it is intended that such uses be located away from all residential development. Staff found no evidence of unique or extraordinary circumstances to support the requested variance and that the proposed development would be incompatible with neighboring development and therefore recommended denial of all applications. MR. LOWENSTEIN concluded by reading the amended conditions for the record, and MR. TAYLOR confirmed he was in agreeance.

MR. TAYLOR said there is an existing chain link fence, and they are proposing to build a block wall and install landscaping. Additionally, there is an existing gate that will be left for emergency purposes. MAYOR GOODMAN asked where the gate is located, and MR. TAYLOR said it is along Sun Rise Drive. MAYOR GOODMAN then inquired about the timeline, and MR. LOWENSTEIN said it is standard for the applicant to have a two-year time period to fulfill their project.

Applicant MARLON JOHNSON said he is a small contractor, and he would like to use this to store his heavy

equipment, and convert the house into an office. COUNCILMAN CREAR confirmed through the applicant that he is not currently living in the house on the site. The Councilman then asked where his business operations are currently taking place and why he needed the LI/R (Light Industry/Research) designation. MR. JOHNSON said the heavy equipment is being stored on project sites, and MR. LOWENSTEIN said LI/R is typical for heavy equipment storage. The Councilman then confirmed through the applicant that he will not be doing any manufacturing. COUNCILMAN CREAR said he did not want to approve the ingress and egress on Mountain Trail because it turns into a residential area. He felt it would be less intensive if the entrance was off of Sunset Road entering south. Additionally, the Councilman said the applicant needs to beautify the exterior of the property, and felt that the interior landscape was still needed to provide a buffer to the residential units to the west of the property. MR. TAYLOR confirmed they were in agreement with those changes.

See Items 55a-55e for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 55-55e.

55a. 20-0142-GPA1 - FROM: R (RURAL DENSITY RESIDENTIAL) TO: LI/R (LIGHT INDUSTRY/RESEARCH)

Minutes:

See Item 55 for related discussion and Items 55-55e for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55b. 20-0142-ZON1 - FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: M (INDUSTRIAL)

Minutes:

See Item 55 for related discussion and Items 55-55e for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55c. 20-0142-VAR1 - TO ALLOW AN EIGHT-FOOT FRONT YARD WALL WHERE FIVE FEET IS THE MAXIMUM ALLOWED

Minutes:

See Item 55 for related discussion and Items 55-55e for related backup.

Motion made by Cedric Crear to Approve subject to conditions and amending Condition 1 as read for the record:

1. Approval of a General Plan Amendment (20-0142-GPA1) and Rezoning (20-0142- ZON1) and conformance to the Conditions of Site Development Plan Review (20-0142-SDR1) shall be required, if approved.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55d. 20-0142-VAR2 - TO ALLOW NO OFFSITE IMPROVEMENTS (CURB, SIDEWALKS, GUTTERS) WHERE SUCH ARE REQUIRED

Minutes:

See Item 55 for related discussion and Items 55-55e for related backup.

Motion made by Stavros Anthony to Hold in Abeyance Items 54a-54b to 2/17/2020 and Withdraw Item 55d

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

55e. 20-0142-SDR1 - FOR A PROPOSED HEAVY MACHINERY AND EQUIPMENT STORAGE DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPING DEVELOPMENT STANDARDS

Minutes:

See Item 55 for related discussion and Items 55-55e for related backup.

Motion made by Cedric Crear to Approve subject to conditions, amending Conditions 1, 4 and 6, and adding the following condition as read for the record:

1. Approval of a General Plan Amendment (20-0142-GPA1) and Rezoning (20-0142-ZON1) and conformance to the conditions for Variance (20-0142-VAR1) shall be required, if approved.

4. A Waiver from Title 19.08.100 is hereby approved, to allow no perimeter landscaping where 15 feet is required adjacent to a portion of the right of way. Perimeter landscaping adjacent to the existing Building shall be required.

6. An Exception from Title 19.08.040 to allow a reduced number of trees shall be reviewed and approved by the Department of Planning prior to or at the same time an application for a building permit is submitted to the Department of Building & Safety.

A. Ingress and Egress to Mountain Trail shall be prohibited. Traffic to and from the business shall be from Sunset Drive by way of Rancho Drive.

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

56. 20-0166 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action on the following Land Use Entitlement project requests on approximately 603.00 acres bounded by Owens Avenue on the north, Interstate 15 and Main Street on the east, U.S. 95 on the south and Martin L. King Boulevard on the west (APNs multiple), Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on the Land Use Entitlement project.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 56-56b.

PETER LOWENSTEIN, Deputy Planning Director, said these applications represent the City's third downtown district to implement form-based Code. After many months of study, research and community input, the form-based designation, along with the appropriate zoning districts, is proposed to be applied to the Historic Westside District. The proposed Rezoning to form-based transect zones is consistent with the goals, objectives and policies of the Vision 2045 Downtown Las Vegas Masterplan, the Las Vegas 2020 Master Plan, the HUNDRED Plan and the City of Las Vegas Redevelopment Plan. It is intended to be compatible with existing development both within the District and adjacent to its boundaries, and staff therefore recommended approval of the proposed rezoning.

COUNCILMAN KNUDSEN said this takes a great deal of political leadership, and he is excited to support COUNCILMAN CREAR.

CITY CLERK LUANN D. HOLMES read e-comments received online, copies of which were attached as backup.

COUNCILMAN CREAR thanked the team who worked diligently on this project, and felt this will be a positive step forward.

See Items 56a-56b for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 56-56b.

- 56a. 20-0166-GPA1 - To amend a portion of the Southeast Sector Land Use Map of the General Plan FROM: L (LOW DENSITY RESIDENTIAL), ML (MEDIUM LOW DENSITY RESIDENTIAL), M (MEDIUM DENSITY RESIDENTIAL), H (HIGH DENSITY RESIDENTIAL), MXU (MIXED USE), C (COMMERCIAL), LI/R (LIGHT INDUSTRY/RESEARCH) AND PF (PUBLIC FACILITIES) TO: FBC (FORM-BASED CODE)

Minutes:

See Item 56 for related discussion and Items 56a-56b for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 56b. 20-0166-ZON1 - FROM: R-E (RESIDENCE ESTATES), R-1 (SINGLE FAMILY RESIDENTIAL), R-2 (MEDIUM-LOW DENSITY RESIDENTIAL), R-3 (MEDIUM DENSITY RESIDENTIAL), R-4 (HIGH DENSITY RESIDENTIAL), R-5 (APARTMENT), C-1 (LIMITED COMMERCIAL), C-2 (GENERAL COMMERCIAL), C-M (COMMERCIAL/INDUSTRIAL), M (INDUSTRIAL), C-V (CIVIC) AND UNDESIGNATED (FORMERLY RIGHT-OF-WAY) TO: T3-N (T3 NEIGHBORHOOD), T3-N-O (T3 NEIGHBORHOOD-OPEN), T4-N (T4 NEIGHBORHOOD), T4-MS (T4 MAIN STREET), T4-C (T4 CORRIDOR), T4-M (T4 MAKER), T5-N (T5 NEIGHBORHOOD), T5-C (T5 CORRIDOR) AND T5-M (T5 MAKER)

Minutes:

See Item 56 for related discussion and Items 56a-56b for related backup.

Motion made by Cedric Crear to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

57. 20-0171-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FRANCISCO VARGAS - OWNER: PACIFIC ENTERPRISES I, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A PROPOSED OPEN AIR VENDING/ TRANSIENT SALES LOT USE on 0.31 acres at the southwest corner of Washington Avenue and Main Street (APN 139-27-703-001), M (Industrial) Zone, Ward 5 (Crear). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

RICKI BARLOW, LV Access & Associates, explained this food cart has been operating at this location since June of 2020. The owner has been asked to remain at this site permanently being that is adjacent to a manufacturing facility and a number of employees purchase food from his cart. Staff has been very diligent in this process and MR. BARLOW appreciated their efforts. This food cart sells a variety of Mexican food and beverages, and the hours of operation are 8:30 a.m. to 1:30 a.m.

PETER LOWNSTEIN, Deputy Planning Director, said that upon further evaluation of the application and Planning Commission's limitation of the hours of operation, staff is in support of the application. He also clarified that the approved hours of operation are 7:00 a.m to 1:00 a.m.

COUNCILWOMAN DIAZ asked if the neighboring restaurants were consulted, and MR. BARLOW said all the restaurants in the area are in support of bringing more traffic to the area. MAYOR GOODMAN recalled issues

many years ago with food trucks parked in front of the El Cortez Hotel and Casino, and she expressed the importance of everyone being on the same page. MR. BARLOW said there are a number of unlicensed food trucks in the city, and he appreciated that the City's Business Licensing Department held them to a high standard, so that other food truck vendors can come into compliance.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

58. 20-0207 - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: LAS VEGAS VALLEY WATER DISTRICT AND BUREAU OF LAND MANAGEMENT - For possible action on the following Land Use Entitlement project requests on a portion of 23.37 acres at the southeast corner of Deer Springs Way and Conquistador Street (APNs 125-19-301-006 and -014), Ward 6 (Fiore). The Planning Commission (7-0 vote) and Staff recommend APPROVAL on 20-0201-ZON1. Staff recommends DENIAL on 20-0201-VAR1 and 20-0207-SDR1. The Planning Commission (7-0 vote) recommends APPROVAL on 20-0207-VAR1 and 20-0207-SDR1.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ROBIN ROCKEY, Las Vegas Valley Water District, explained this is on a 17 acre site located on the southeast corner of Deer Springs Way and Conquistador Street. The project consists of a 10 million gallon below grade concrete reservoir with a pumping station component that will be sized to pump 28 million gallons per day. The building is about two stories in height, and the aesthetics were of the utmost priority. The project is on schedule to start in the spring, and it will be completed in Fall 2022.

MAYOR GOODMAN inquired about the number of houses this reservoir can service, and CHRIS LUQUETTE, Project Manager, Las Vegas Valley Water District, did not have an exact number, but said this site feeds three different pressure zones and serves tens of thousands of individual businesses and residents. The Mayor asked where the water is from, and MR. LUQUETTE said it is pulled out of Lake Mead from their treatment plant, and then the reservoir feeds the nearby residents. The pumping station also helps push the water uphill to more pressure zones in the northwest part of the Valley. MAYOR GOODMAN asked where the closest similar operating facility is, and MR. LUQUETTE said the Grand Canyon reservoir is located about three miles away.

With regard to the landscape variance, MS. ROCKEY said the Las Vegas Valley Water District will provide a 15-foot landscape barrier on the frontage roads. They requested the variance because this will be an unmanned facility and internal landscaping will propose maintenance and financial issues.

MAYOR GOODMAN inquired about the types of trees that will be used, and MR. LUQUETTE said there will be a blend of Red Pistache and Desert Willow trees, which are part of the locally approved xeriscape plan.

MS. ROCKEY said they take the safety of water very seriously and the vast majority of the perimeter wall will consist of a pony wall with tubular steel fencing. They also entered into a common wall agreement along the east side with the Deer Springs Homeowners Association. There is a portion of fencing along on the east side that borders Bureau of Land Management (BLM) land, and they are proposing a solid block wall for that portion because that is the best engineering practice for a shared wall. MS. ROCKEY confirmed that the wall does not disrupt views of the mountains and an updated rendering was sent to the residents that back up to the BLM land.

PETER LOWENSTEIN, Deputy Planning Director, explained staff found that the proposed rezoning is consistent with the underlying future land use designation and recommends approval. However, while staff contends that the proposed development is necessary for future communities within the northwest area of the city, the proposed landscaping and perimeter walls do not meet the minimum standards set forth in Title 19.10. The applicant has adequate space to provide the required landscape buffers along the perimeter, which would provide additional visual relief for the existing residents in the surrounding area. Staff therefore recommended approval of the rezoning but denial of the variance and site development plan review.

MAYOR GOODMAN asked if the property immediately to the northwest has already been sold, and MR. LOWENSTEIN said it will be parceled out when it goes through the BLM auction process. MR. LUQUETTE said

the site sits on a portion of Las Vegas Valley Water District owned parcel, but the BLM parcel cuts through that. They only received a right-of-way grant to create a small improvement area. MAYOR GOODMAN asked if the piece to the east has already been sold, and MR. LUQUETTE said that piece holds fully developed residential units.

CITY CLERK LUANN D. HOLMES read e-comments received online, copies of which were attached as backup.

COUNCILWOMAN FIORE said the reason for the solid block wall is because residential lots could be developed in that area. She said one of the individuals who submitted an e-comment in opposition is actually five miles away, and she felt the Water District did everything they could to please everyone and appreciated their efforts.

See Items 58a-58c for related backup.

MAYOR GOODMAN declared the Public Hearing closed.

- 58a. 20-0207-ZON1 - FROM: U (UNDEVELOPED) [PF (PUBLIC FACILITIES) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on a 20.0 acre portion of 23.29 acres

Minutes:

See Item 58 for related discussion and Items 58-58c for related backup.

Motion made by Michele Fiore to Approve

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 58b. 20-0207-VAR1 - TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS

Minutes:

See Item 58 for related discussion and Items 58-58c for related backup.

Motion made by Michele Fiore to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

- 58c. 20-0207-SDR1 - FOR A PROPOSED WATER RESERVOIR AND 9,819 SQUARE-FOOT PUMPING STATION AND PRESSURE-REDUCING VALVES DEVELOPMENT

Minutes:

See Item 58 for related discussion and Items 58-58c for related backup.

Motion made by Michele Fiore to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

59. 20-0272-SUP1 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LABO FUNERAL HOME/CHAPEL - OWNER: JLC NUCLEUS, LLC - For possible action on a Land Use Entitlement project request for a Special Use Permit FOR A MORTUARY OR FUNERAL CHAPEL USE on 6.14 acres at 940 West Owens Avenue (APN 139-21-806-002), C-1 (Limited Commercial) Zone, Ward 5 (Crear). The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Applicant DINO LeBEAU said he has been in the mortuary business for 11 years and he is the Pastor for a church in the vicinity. He felt it would be an asset to the community to open a funeral home so the constituents do not

need to travel far for funeral services.

PETER LOWENSTEIN, Deputy Planning Director, said staff found that the proposed mortuary or funeral chapel use meets Title 19 requirements and can be conducted in a manner that is harmonious and compatible with the existing land uses within the shopping center and the surrounding area. As such, staff recommended approval of the Special Use Permit.

COUNCILMAN CREAR clarified that all of the bodies will be taken in and out behind the building and said MR. LeBEAU has been a good servant to the community.

MAYOR GOODMAN asked how many his chapel will seat, and MR. LeBEAU said there will be two separate chapels. One will seat 122 people and the other will seat about 89. If there is a service that required more room, his church down the street seats 500 people.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Victoria Seaman, Cedric Crear, Stavros Anthony, Carolyn Goodman, Michele Fiore, Brian Knudsen, Olivia Diaz;

SET DATE

60. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

Minutes:

MAYOR GOODMAN advised CITY CLERK LUANN D. HOLMES to set the dates for applicable items.

CITIZENS PARTICIPATION

61. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

Minutes:

DANIEL BRAISTED was saddened to hear of the recent passing of TONY HSIEH and SHELDON ADELSON. He thanked the Council for their comments on Items 33 and 38. He said just because these items were budgeted and planned pre-pandemic does not mean they cannot be delayed. MR. BRAISTED asked about the status of the Huntridge Theater, Courtyard, pickle ball courts and various roadwork projects throughout the city. He asked that the Council provide updates to the public on these ongoing projects so that everyone knows what is keeping the City busy.

CITY CLERK LUANN D. HOLMES read e-comments received online, copies of which were attached as backup.

COUNCIL EMERGING ISSUES

Comments made by Council members during this portion of the agenda must refer solely to proposals for future agenda item topics to be brought before the Council for consideration and action at a later date. Any discussion must be limited to whether or not such proposed items shall be placed on a future agenda and no discussion regarding the substance of any such proposed topic shall occur. No action shall be taken.

62. Discussion regarding potential items for future City Council agendas - All Wards

Minutes:

CITY MANAGER JORGE CERVANTES said this is the opportunity for the Council to discuss any items they wish to see on a future agenda. He said staff is working on the feedback given at the last Council meeting and items will be brought forward in February.

MAYOR GOODMAN felt it was a good idea for the City to provide updates to the public on ongoing projects, and MR. CERVANTES said the City recently took on a new software where the public can visit the Public Works

Department website and view the current status of projects. He will be checking the status of that software to see if that feature is live or if staff is still working to get it set up.

COUNCIL MEMBER RECOGNITION

- 63. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

Minutes:

COUNCILMEMBERS FIORE, CREAM, SEAMAN, KNUDSEN, and DIAZ announced the various events taking place in their wards on various dates throughout the month of January and February. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest. A few Councilmembers commented on the incoming and outgoing Presidential administrations.

MAYOR GOODMAN expressed her excitement for the new President and Vice President, and said she saw a lot of good come out of the last four years. She was thankful to the other Councilmembers and City staff that continue pushing the city forward, and spoke of the support from Silver Summit Health Plan, who has given the City a van to assist homeless individuals leaving the hospital. She said the ROB McCOY, Chief Executive Officer of the Neon Museum, is retiring and she encouraged everyone to visit the museum. The old Las Vegas High School sent a mariachi band to perform at the inauguration in Washington D.C., and the mariachi bands in Southern Nevada are exceptional. The Mayor recognized the passing of IRWIN MOLASKY, TONY HSIEH and SHELDON ADELSON, SIEGFRIED FISCHBACHER, BILL TERRY, GARY LOGAN and all those that lose their lives from COVID-19. COUNCILWOMAN DIAZ also recognized the passing of SENATOR JOE NEAL, who was a prominent member of the community.

MAYOR GOODMAN announced the next City Council meeting will take place on February 3, 2021, and she will be celebrating the opening of Haterade at the Neonopolis. She implored everyone to put their differences aside and be grateful for every day. She recognized the City Marshals and CHIEF PUBLIC SAFETY OFFICER TIM HACKER for ensuring everyone is safe, and she thanked other City departments that work hard to serve the community every day.

The meeting was adjourned at 12:37 p.m.

Respectfully submitted:

Cheyenne LaRance, Deputy City Clerk

LuAnn D. Holmes, MMC, City Clerk

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS
IN ACCORDANCE WITH THE STATE OF NEVADA EXECUTIVE DEPARTMENT
DECLARATION OF EMERGENCY DIRECTIVE 006
The City of Las Vegas website – www.lasvegasnevada.gov
and
The Nevada Public Notice Website – notice.nv.gov