

Carolyn G. Goodman, Mayor (At-Large)  
Lois Tarkanian, Mayor Pro Tem (Ward 1)  
Steven G. Seroka (Ward 2)  
Bob Coffin (Ward 3)  
Stavros S. Anthony (Ward 4)  
Cedric Crear (Ward 5)  
Michele Fiore (Ward 6)



City Manager Scott Adams  
City Attorney Bradford R. Jerbic  
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](http://www.lasvegasnevada.gov)

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

**February 6, 2019**  
**9:00 AM**

**A lunch break may be taken at the discretion of the Mayor.**

Items listed on the agenda may be taken out of the order presented; two or more agenda items for consideration may be combined; and any item on the agenda may be removed or related discussion may be delayed at any time. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov).

The Mayor and City Council welcome your attendance, public comment related to the items on the agenda and citizen participation on items under the jurisdiction of the City Council at this meeting. If you wish to speak, we respectfully ask you to complete and submit a speaker card to the City Clerk. Cards are available online, in the Clerk's Office or at the front of the Chambers as you enter.

These proceedings are being video recorded as well as presented live on KCLV, Cable Channel 2, and are Closed Captioned for our hearing impaired viewers. Please note customers of Centurylink and Cox Communications can view this program in High Definition on Channel 1002. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The Council Meeting, as well as all other KCLV programming, can be view on the internet at [www.kclv.tv/live](http://www.kclv.tv/live). The proceedings will be rebroadcast on KCLV Channel 2 and the web the Wednesday of the meeting at 8:00 PM, and also on Friday at 4:00 AM, Saturday at 7:00 PM, Sunday at 7:00 AM and the following Monday at 5:00 PM.

Note: Cellular phones are to be turned off during the Council Meeting.

## CEREMONIAL MATTERS

1. Call to Order

Minutes:

MAYOR GOODMAN called the meeting to order at 9:00 a.m.

Present: MAYOR GOODMAN and COUNCILMEMBERS ANTHONY (excused at 1:53 p.m.), COFFIN (excused until 9:01 a.m. and at 1:52 p.m.), SEROKA, FIORE and CREAR (excused until 9:02 a.m. and from 12:32 p.m. to 12:35 p.m.)

Excused: COUNCILWOMAN TARKANIAN

Also Present: CITY MANAGER SCOTT ADAMS, ASSISTANT CITY ATTORNEY TERI PONTICELLO, ASSISTANT CITY ATTORNEY BRYAN SCOTT, DEPUTY CITY ATTORNEY JEFF DOROCAK 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: City Hall, 495 South Main Street, 1st Floor; Clark County Government Center, 500 South Grand Central Parkway; Grant Sawyer Building, 555 East Washington Avenue; City of Las Vegas Development Services Center, 333 North Rancho Drive.

3. Invocation - Reverend Brad Beckman, First Good Shepherd Church

Minutes:

REVEREND BRAD BECKMAN, First Good Shepherd Church, gave the invocation.

4. Pledge of Allegiance

Minutes:

MAYOR GOODMAN led the audience in the Pledge of Allegiance.

5. Recognition of the Citizen of the Month

Minutes:

COUNCILMAN SEROKA wished everyone a Happy Chinese New Year. In recognition of celebrating the Citizen of the Month, he invited CRAIG and AMANDA BILLINGS to the podium. Noting that the number one issue in his Ward is crime, the Councilman shared the story how after MR. BILLINGS called the Council Office following several crimes in their neighborhood, they were able to work together to put actions in place to catch the suspect and make changes to prevent further crime.

COUNCILMAN SEROKA acknowledged those involved: STUART RICHARDSON, Northwest Area Command, JERRY WALKER, Director of Operations and Maintenance, MICHELE FREEMAN, Director of the Department of Public Safety, and staff from the Department of Parks and Recreation. He stated within 30 days of MR. BILLINGS calling the Council Office, the Northwest Area Command captured a suspect who lived in another part of town but was terrorizing the neighborhoods on the west side on a regular basis. He noted how the suspect utilized trails and restrooms in public facilities to hide out as well as the lighting systems in the parks to his advantage. MR. BILLINGS was relentless as a citizen to make sure the City was doing its job. The Councilman spoke of identifying further problems after investigating the tunnels on the west side of town. He stated MR. WALKER put in place obstacles to prevent further inhabitation of the tunnels by the homeless who risked possible injury during flooding following rain storms. Additionally, the police are patrolling them on a regular basis. The public restrooms are secured at the proper time, and the lights have been adjusted properly, all because of the work and efforts of this one engaged and concerned citizen.

COUNCILMAN SEROKA stated MR. BILLINGS' focus continues to be on creating a safe and positive place to raise and educate his children. He is a Valley High School and University of Nevada, Las Vegas graduate and has been a resident for 35 years. He now works with Wynn Resorts where as a leader, he serves alongside almost 12,000 Las Vegas peers who donate over 30,000 hours of community service. COUNCILMAN SEROKA thanked MR. BILLINGS and presented him with the Ward 2 Citizen of the Month award.

MR. BILLINGS thanked the Mayor and Council. He stated building safe communities for children is something everyone can stand behind, but neighborhoods are more complex with numerous constituents who have numerous needs. Effecting change in neighborhoods is complex and requires a unique combination of leadership and consultation. He acknowledged the Las Vegas Metropolitan Police Department, the Deputy City Marshals, MR. WALKER and COUNCILMAN SEROKA who exhibit these traits. He also recognized his colleagues at Wynn Las Vegas who devoted 30,000 hours last year to community service. He was humbled to receive this award and again thanked the Council.

MAYOR GOODMAN congratulated and thanked MR. and MRS. BILLINGS for everything they have done stating they are a role model for every community. She asked everyone to take it upon themselves to make a difference. COUNCILMAN SEROKA added the BILLINGS are an example of how one person can make a difference.

With the growth of the city over the past 50 years, MAYOR GOODMAN commented on the importance of neighborhood watch and that every single person has a responsibility to their neighborhood.

#### 6. Recognition of Chinese New Year

Minutes:

COUNCILMAN ANTHONY stated it was his honor to recognize the Eighth Annual Chinese New Year in the Desert Festival and to welcome all of the cultural ambassadors. He invited JAN-LE LOW, Executive Producer, Golden Catalyst, to the podium, who has been instrumental in organizing the Chinese New Year Festival for the past seven years. He noted together the City of Las Vegas, Golden Catalyst and the Las Vegas Convention and Visitors Authority (LVCVA) will usher in the Year of the Pig starting on February 8th at the Fashion Show, and he invited everyone to join them on February 9th at 11 a.m. for the Spring Festival Parade where there will be folklore, acrobatic and traditional instrumental performances. He noted the City of Las Vegas is pleased to usher in the Year of the Pig with an assortment of cultural amenities, attractions and celebrations to make it the largest Chinese New Year celebration in the United States.

MS. LOW asked the cultural ambassadors present to come forward, along with her four-month-old nephew, at which time red scarves were placed on the Mayor and Councilmembers. MS. LOW stated Chinese New Year is about celebrating life and the most important things in the world - family and friends. Two thousand nineteen is the Year of the Pig and people wonder what types of fortune await them. She noted some of the pig's greatest attributes are compassion and generosity and stated this is also a good time to partner and collaborate with others. She thanked the Chinese New Year in the Desert's major sponsors - LVCVA, Vegas Golden Knights, Downtown Container Park and the City of Las Vegas.

Having worked with ESTHER REINCKE, Senior Management Analyst, MS. LOW invited MS. REINCKE, who she stated is about to retire, to the podium and presented her with a golden pig.

She went on to say that Chinese New Year is not only about the Chinese New Year celebration, it is also about Lunar which is also celebrated in Vietnam and Korea. At this point, members of the American Vietnamese Chamber of Commerce performed a fan dance for the audience.

COUNCILMAN ANTHONY recognized PAM PHAN, Ambassador to the Eighth Annual Chinese New Year in the Desert Festival, and presented her with a proclamation recognizing Pam Phan Day, a copy of which is attached. MS. PHAN is a dedicated public servant who volunteers endless hours in her former role as founder of the American Vietnamese Chamber of Commerce and Charter President of the Las Vegas Vietnamese American Lions Club. She is also a host of Viet-Am TV and active member of Our Lady of La Vang Buddhist Temple.

MAYOR GOODMAN spoke of the many cultures, backgrounds, religions and races and how beautiful it is to learn about other cultures and histories.

7. Recognition of Black History Month

Minutes:

In recognition of Black History Month, MAYOR GOODMAN spoke of the significance of African Americans and black history in Las Vegas. She thought it remarkable having now been in Las Vegas for 55 years and being a part of the Westside community in the 1960s, which in those days was a segregated community. She noted how different it is today and how wonderful it is to celebrate African American heritage. She thought the contributions and achievements should be celebrated every day, not just during one month. Las Vegas has a great history, specifically in the historic Westside. The founders of that community ensured the roots were strong and the contributions and pride were great. She acknowledged BOB BAILEY, DR. JAMES McMILLAN, DR. CHARLES WEST, and DR. MARION BENNETT.

She noted the many events happening in the community to celebrate Black History Month, including the 40th Annual Mid-Day Inspirational Showcase and Luncheon, Thursday, February 12th, at 11 a.m. in the West Las Vegas Library. This event will feature singing, dancing, poetry readers, speakers and is free to the public. Entries are still being accepted for the Annual Heart of Black History Essay Contest which the City is sponsoring; those interested should call (702) 229-1515 for additional information.

COUNCILMAN CREAR stated Black History Month is an annual celebration of achievements by African Americans and a time to recognize the role of blacks in U.S. history. February has been designated as Black History Month every year since 1976. Other countries around the world, including Canada and the United Kingdom, also celebrate. He encouraged everyone to take the time to attend the various events throughout the community; information on these events can be found on the City's website. People have fought to do what they feel is right, regardless of popularity, and they, as elected officials, try to do that as well. He noted his time on the Board of Regents where a lot of issues were brought up that were not popular, but they kept moving forward and made a lot of progress.

The Councilman spoke of initiatives that will enhance the Historic Westside community such as a parquee sign identifying the Historic Westside, murals at the exits and reconstruction of the F Street underpass to better highlight the leaders of the community in a walkable manner. He urged everyone to attend the City Council meeting on February 20th where JOE NEAL, the state's first African American Senator who fought for equality and justice for many years, will be honored.

**ADDITIONAL ANNOUNCEMENTS AND RECOGNITIONS:**

COUNCILWOMAN FIORE stated as members of the City Council, they and the employees of the City of Las Vegas, wished to present to the Mayor something special. Two weeks prior, the Mayor announced she had been diagnosed with Stage Two breast cancer, and at that time planned to face the treatments head on but otherwise continue with City business and her campaign as normal. To show that her fellow Councilmembers and employees wish her a speedy and complete recovery, they presented her with a giant Get Well card which was signed by her City work family.

MAYOR GOODMAN stated there are a lot of people who have to deal with many issues, and this was just a bump in the road. She stressed the importance of focusing on what lies ahead, people that matter and the community. She was very touched and thanked everyone that signed the card. She exclaimed being Mayor is the greatest job in the world, and she appreciated the caring, love and understanding. For anyone that is ill, she said to focus on the love, humanity and caring.

The meeting was recessed at 9:47 a.m.

## **PUBLIC COMMENT**

8. 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:

The meeting was reconvened at 9:59 a.m.

LAURA McSWAIN spoke in opposition to Item 41. She stated she attended the Traffic and Parking Commission meeting where the item was denied unanimously. Comments at that meeting included the unfair pressure closing Shetland Avenue would put on the rest of the neighborhood. She noted the closure would cost a lot of money and believes gating off communities creates a sense of blight. She asked the Council to vote no. MAYOR GOODMAN indicated there would be a motion to abey that item to March 20, 2019, but that it still had to be voted on.

CHE-TARA MANNING spoke on the number of homeless at the Bonneville Transit Center and other issues that concerned her.

WISELET ROUZARD, Field Director, Americans for Prosperity, wished to highlight a future agenda item in April. Some of the community was present to support DARELLE DAVIS, owner of The Truth Spot, an entertainment facility. MR. DAVIS was recently cited and told he would have to obtain a nightclub license to continue to function. He stated the service MR. DAVIS provides to the 89106 community is very important. He acknowledged those present to show their support. He spoke of entrepreneurship and regulations and barriers having to be addressed. He hoped everyone could work together to correct the situation, and he thanked the Council for their time.

MR. DAVIS stated he was present to represent The Truth Spot and to show that the City is behind him and wants him to continue to provide this space in 89106. He pointed out they host poetry and open mic nights where they invite artists to share their truth, and there is nothing but positivity. He stated he posted on Facebook out of frustration with regard to his dealings with the City and Licensing and the requirement to obtain a nightclub license if they are going to host live performances, and he appreciated the Councilman reaching out to him to see if there was something they could do.

DEREK WASHINGTON stated it was a great day that the black community and others came out to support a young black businessman keeping his business which has been threatened by the City's rules and regulations. He wished to impress while everyone is talking about the Historic Westside and the past, MR. DAVIS and The Truth Spot are the future, and the Council needs to recognize and support that. If not, the historic past will simply be a memory.

ANTONIO HICKMAN also appeared in support of MR. DAVIS. He grew up in Ward 5, and thought more young men like MR. DAVIS were needed because he is trying to better the community.

WILLIE WILLIAMS III appeared in support of The Truth Spot which he stated is a pillar in the 89106 community. It is a place where all artists can go to be themselves. Fixing the Westside has to start from within, and The Truth Spot is in the heart of the Westside. He thanked the Council for listening to them.

COUNCILMAN CREAR stated he has spoken to MR. DAVIS who he indicated was a very talented poet, and urged everyone to reach out and find him online. He respects what happens at The Truth Spot and the value it brings to the community but noted they also have to figure out a way to do it right so there is a place within the community to congregate. The Councilman looks forward to continuing to work with MR. DAVIS to figure it out. He also thanked those that came out in support.

## **BUSINESS ITEMS - 9 A.M. SESSION**

9. 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 Item 41 to 3/20/2019

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

10. For possible action to approve the Final Minutes by reference of the December 19, 2018 and January 16, 2019 Regular City Council Meetings

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

### **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.**

### **CULTURAL AFFAIRS - CONSENT**

11. For possible action to approve the ratification of the Las Vegas Arts Commission By-Laws - All Wards

Minutes:

Prior to opening the Consent Agenda, MAYOR GOODMAN acknowledged and welcomed LAS VEGAS TRIBE CHAIRMAN CHIEF SPOTTED EAGLE and VICE CHAIRMAN CURTIS ANDERSON, Paiute Reservation, who were in the audience. She acknowledged the reservation on Main Street which is a part of the community, and the help the Paiute Nation has been in the northwest.

The Mayor also wished KATHI THOMAS-GIBSON, Director of the Office of Community Services, a Happy Birthday.

MAYOR GOODMAN announced the retirement of ASSISTANT CITY ATTORNEY TERI PONTICELLO who was instrumental in bringing to the city the Smith Center, Mob Museum, Lou Ruvo Center for Brain Health, the World Market Center and the Premium Outlets, etc. The Mayor wished MS. PONTICELLO everything wonderful.

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

NOTE: The video does not reflect the vote accurately on Items 14-16, in that Mayor Goodman abstained from voting on these items as her son is involved in the medical marijuana industry.

### **FINANCE - PURCHASING AND CONTRACTS - CONSENT**

12. For possible action to approve award of Amendment No. 1 to Contract No. 180360-DD, Prime Design Services Contract for Corridor of Hope Courtyard - Foremaster Lane at Las Vegas Boulevard - Department of Public

Works - Award recommended to: LG ARCHITECTS, INC. (\$541,078 - General Capital Projects Fund) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PLANNING - CONSENT**

13. For possible action to approve an Interlocal Agreement for Las Vegas Paiute Tribe Liquor Regulation between the City of Las Vegas and the Las Vegas Paiute Tribe regarding the regulation of alcoholic beverage sales and consumption on lands within the City of Las Vegas under the jurisdiction of the Tribe - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PLANNING - BUSINESS LICENSING - CONSENT**

14. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for THOMPSON FARM ONE, LLC dba THOMPSON FARM at 2435 Losee Road [Kristine Torosyan, Managing Member] - North Las Vegas

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony, Steve Seroka; Abstain-Carolyn Goodman; Excused-Lois Tarkanian

NOTE: The video does not reflect the vote accurately on Items 14-16, in that Mayor Goodman abstained from voting on these items as her son is involved in the medical marijuana industry.

15. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for a Change of Ownership FROM: CANNAVATIVE EXTRACTS, LLC TO: CANNAVATIVE EXTRACTS, LLC dba CANNAVATIVE EXTRACTS, LLC at 14331 Lear Boulevard - Reno, Nevada

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony, Steve Seroka; Abstain-Carolyn Goodman; Excused-Lois Tarkanian

NOTE: The video does not reflect the vote accurately on Items 14-16, in that Mayor Goodman abstained from voting on these items as her son is involved in the medical marijuana industry.

16. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for a Change of Ownership FROM: CANNAVATIVE FARMS, LLC TO: CANNAVATIVE FARMS, LLC dba CANNAVATIVE FARMS, LLC at 14331 Lear Boulevard - Reno, Nevada

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Stavros Anthony, Steve Seroka; Abstain-Carolyn Goodman; Excused-Lois Tarkanian

NOTE: The video does not reflect the vote accurately on Items 14-16, in that Mayor Goodman abstained from voting on these items as her son is involved in the medical marijuana industry.

17. For possible action to approve a Tavern License for a Change of Ownership FROM: DESPERATE INC TO: CENTURY THEATRES INC dba CENTURY 16 SUNCOAST at 9090 Alta Drive - Ward 2 (Seroka)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

18. For possible action to approve a Temporary Tavern license for a Change of Ownership FROM: GEORGE T. BALABAN TO: REGAL CINEMAS INC dba REGAL CINEMAS CINEBARRE PALACE STATION 9 at 2411 West Sahara Avenue - Ward 1 (Tarkanian)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

19. For possible action to approve a Tavern-Limited License for 322 PIZZA BAR LLC dba 322 PIZZA BAR at 322 Fremont Street [Aliza Elazar-Higuchi, Managing Member] - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

20. For possible action to approve a Tavern-Limited License for BROOKE-R LLC dba CHICAGO FOOD HOUSE at 2000 South Las Vegas Boulevard, Suite #C07 [Melissa Robinson, Managing Member] - Ward 3 (Coffin)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

21. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: MON GROUP SAHARA INC TO: TEM INVEST INC dba SUSHI MON at 8320 West Sahara Avenue, Suite 180 [Ellen H Park, President, Secretary, Treasurer, Director, Shareholder] - Ward 1 (Tarkanian)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

22. For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: 7 ELEVEN OF NEVADA INC TO: T.K. CONSOLIDATED LLC dba 7-ELEVEN FOOD STORE #20084C at 225 North Lamb Boulevard [Tian Liu, Managing Member] - Ward 3 (Coffin)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

23. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License SHFA ENTERPRISES LLC dba RESTAURANTE MI RANCHITO at 3001 West Sahara Avenue [Sergio Higareda Torres, Managing Member] - Ward 1 (Tarkanian)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

24. For possible action to approve an Alcoholic Beverage Caterer License for a Change of Ownership FROM: MARKET LIQUOR SERVICES LLC TO: MARKET LIQUOR SERVICES LLC dba MARKET LIQUOR SERVICES LLC at 495 South Grand Central Parkway - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

25. For possible action to approve a Permanent Trade Show Facility License for a Change of Ownership FROM: MARKET LIQUOR SERVICES LLC TO: MARKET LIQUOR SERVICES LLC dba MARKET LIQUOR SERVICES LLC at 495 South Grand Central Parkway - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

26. For possible action to approve a Non-Operational Package License for a Change of Ownership FROM: RSTLNE LLC TO: ENCRYPTIC LLC dba ENCRYPTIC LLC at 611 Fremont Street [Richard Sturman, Managing Member] - Ward 3 (Coffin)
- Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
- For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian
27. For possible action to approve a Non-Operational Beer Wine On-Sale License for a Change of Ownership FROM: RSTLNE LLC TO: ENCRYPTIC LLC dba ENCRYPTIC LLC at 611 Fremont Street [Richard Sturman, Managing Member] - Ward 3 (Coffin)
- Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
- For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian
28. For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License SMOKE RANCH ENTERPRISES INC dba LUCKY SPOT at 6890 North Hualapai Way [Rapinder Singh Chima, President, Secretary, Treasurer, Director, Shareholder] - Ward 6 (Fiore)
- Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
- For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian
29. For possible action to approve a Temporary Restricted Gaming License SMOKE RANCH ENTERPRISES INC dba LUCKY SPOT at 6890 North Hualapai Way [Rapinder Singh Chima, President, Secretary, Treasurer, Director, Shareholder] - Ward 6 (Fiore)
- Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
- For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian
30. For possible action to approve a Restricted Gaming License for SHABA SARHAD & NOVIL YAKOO dba FAMILY FOOD MART at 1102 Fremont Street - Ward 3 (Coffin)
- Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
- For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian
31. For possible action to approve a Restricted Gaming License JETT GAMING LLC dba JETT GAMING LLC db at TERRIBLE'S 377 at 4701 West Lake Mead Boulevard - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

32. For possible action to approve a Restricted Gaming License JETT GAMING LLC dba JETT GAMING LLC db at TERRIBLE'S 379 at 400 North Eastern Avenue - Ward 3 (Coffin)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

33. For possible action to approve a Restricted Gaming License JETT GAMING LLC dba JETT GAMING LLC db at TERRIBLE'S 372 at 2237 West Charleston Boulevard - Ward 1 (Tarkanian)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PUBLIC WORKS - CONSENT**

34. For possible action to approve Fourth Supplemental Interlocal Contract LAS16O13 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to extend the project completion date for the Rancho Road System - Elkhorn, Fort Apache to Grand Canyon - Ward 6 (Fiore)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

35. For possible action to approve Fifth Supplemental Interlocal Contract LAS14D14 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFC) to increase funding for the construction of the Freeway Channel Washington, MLK to Rancho Drive project by \$50,000 from \$11,405,343 to \$11,455,343 (\$50,000 - Road and Flood Capital Project Fund [CPF]) - Ward 5 (Crear)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

36. For possible action to approve a Neon Sign Maintenance Agreement between the City of Las Vegas (City) and Downtown Projects (DTP) for the restoration, reconstruction and construction of the neon signs on East Fremont Street between 8th Street and 14th Street (\$100,000 - License Plate Revenue) - Ward 3 (Coffin)

Motion made by Stavros Anthony to Approve the Consent Agenda  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## DISCUSSION/ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

37. Report by staff regarding the fact finder's recommendation for a collective bargaining agreement between the Las Vegas Peace Officers Supervisors Association and the City of Las Vegas - All Wards

Minutes:

CITY MANAGER SCOTT ADAMS stated Nevada Revised Statute (NRS) Chapter 241 requires a public report be made regarding the collective bargaining discussion between the City of Las Vegas and the Las Vegas Peace Officers Supervisors Association, the findings and recommendations resulting from those discussions, as well as the potential fiscal impact of those recommendations.

Discussion between the two parties involved Articles 7, 9, 10, 12, 20 and 21 regarding compensation, hours of work, holidays, sick leave, discharge and disciplinary procedures, as well as grievance procedures. The arbitrator recommended actions on each of these six articles, a summary of which can be found attached as backup. The fiscal impact of these items is approximately \$576,000 for a five-year contract that looks back for two years and forward three years. He noted any detailed questions regarding the discussions or recommendations could be addressed by ASSISTANT CITY ATTORNEY MORGAN DAVIS who represented the City during the fact finding.

MR. SCOTT confirmed for the Mayor the \$576,000 was over five years and not annually. MR. DAVIS acknowledged ASSISTANT CITY ATTORNEY TERI PONTICELLO, who is leaving their office and has been a friend and colleague for the past 24 years and will be deeply missed. He reiterated the item before the Council was brought forward pursuant to NRS 288.200 which requires they report on the fact finders report and recommendations via a public hearing. Staff is not asking the Council to approve a contract at this time; a fully-formed contract will be brought back at a later date. Historically, this is a very small bargaining unit, and they have been in negotiations for two years. The contract recommended by the fact finder covers a five-year period going forward; retro for two years and five years going forward. Staff recommended approval and a contract would be brought back for approval in about two weeks.

MS. PONTICELLO commented MR. DAVIS is passionate about collective bargaining, and the City is in good hands with regard to labor and personnel issues under him.

38. Discussion for possible action regarding a Purchase Sales Agreement between the City of Las Vegas (City) and the assignment by City and assumption thereof by City Parkway V, Inc., and Oakwood Plaza, LLC, 1060 Broadway, LLC, and K&J Las Vegas Endeavor, LLC to purchase 14 parcels within the area bounded by parcels on the southwest corner of Bonneville Avenue and Main Street as well as the area bounded by Clark Avenue on the west and north, 1st Street on the east and Bonneville Avenue on the south specifically outlined on the Site Plan (\$7,909,455 - General Capital Projects Fund) - Ward 3 (Coffin)

Minutes:

BILL ARENT, Director of Economic and Urban Development (EUD), stated one part of EUD's program and services it offers to the community includes strategic acquisitions, which is done through funds from EUD, the Redevelopment Agency and other funds on hand.

He displayed a map showing the parcel at 505 Main Street. He pointed out there is fractured ownership of this block, consisting of multiple owners. EUD tries to package and assemble parcels of land and ready that land for new development. The land seller is Oakwood Plaza, LLC, 1060 Broadway, LLC and K & J Las Vegas

Endeavor, LLC. These are single-purpose entities which were formed by JONATHAN KERMANI so staff worked with MR. KERMANI and his representatives.

The purchase and sale agreement before the Council permits the assignment of the agreement to City Parkway V Inc., which is an affiliate nonprofit of the City of Las Vegas that has been used as a holding company to hold real estate assets for economic and redevelopment purposes. The plan is for this entity to take acquisition of the 14 parcels, which total approximately 2.04 acres. The negotiated purchase price is \$7,909,455, which represents a purchase price of approximately \$89 per square foot. The City team appraised this property slightly higher than this amount so staff believed it to be a fair value for this transaction. Funds in the General Capitals Project Fund are being used and will not impact any ongoing or General Fund-funded operations of the City nor any current or future planned Capital Improvement Project in the City's plan.

MR. ARENT stated the terms of the agreement include the closing of the purchase will occur on or before April 15, 2019. Additionally, there is a feasibility period that runs through March 16, 2019, so the City understands exactly what it is purchasing to allow for survey, proper title and title insurance. A \$330,000 earnest deposit is being put down to move forward with the transaction. Staff believed this to be a very important strategic acquisition given its proximity to City Hall and everything happening downtown and recommended approval. MAYOR GOODMAN asked about soil testing. Having built City Hall, MR. ARENT stated staff understands what is in the ground in this part of downtown already, but they will review all environmental reports, which is standard practice.

COUNCILMAN COFFIN spoke of the petroleum in the soil that is migrating to the east from the old railroad yards and asked about the limit of the City's exposure if purchased. MR. ARENT explained that is the reason for the feasibility period, and if something unknown is discovered, the agreement can be rescinded, and they can go back to the seller and ask for a concession if there is a large cost or liability item. Staff is not currently aware of any issues, but they will work with Public Works and the City Engineering team who have more expertise with regard to soil and the water table and will do as much due diligence as is needed to make that determination before moving forward with the purchase.

COUNCILMAN COFFIN thought it important for the soil samples to be sufficient and not just at the surface level.

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PLANNING - BUSINESS LICENSING - DISCUSSION**

39. Discussion for possible action regarding the approval of an Appeal of a Work Card Denial for Mohamad Al-Dabioy db at Americana Mart, 1595 North Eastern Avenue - Ward 3 (Coffin)

Minutes:

MARY McELHONE, Deputy Planning Director, stated MOHHAMAD AL-DABIOY was present to appeal the work card denial by the Las Vegas Metropolitan Police Department. MR. AL-DABIOY has been working as a convenience store clerk for the owner of Americana Mart, BASIL HAMIKA, since December 2015. MR. AL-DABIOY initially obtained a work card in October 2013 to work as a security officer at a different business. That work card expired October 16, 2018 which resulted in MR. AL-DABIOY applying for a renewal which was denied. It was determined that MR. AL-DABIOY was arrested February 13, 2018, on battery, sexual assault and kidnapping charges related to his wife. He entered into a plea bargain where he plead guilty and was convicted of sexual seduction, which is a gross misdemeanor charge. He was sentenced to six months in jail and served 128 days at the Clark County Detention Center. He is a Tier 1 sex offender, which means he is now obligated to register as a sex offender to law enforcement annually for the next 15 years. However, based on the tier level and the age of the defendant, his name will not appear publicly in the Nevada Sex Offenders Registry. MS. McELHONE stated MR. AL-DABIOY is supported by his employer, who was also present, and agreed to assist in translation since MR. AL-DABIOY speaks limited English.

MR. HAMIKA stated he is the owner of Americana Mart and has several other businesses in Clark County. He commented MR. AL-DABIOY has worked for him for more than two years, and he has been a very honest employee. He stated he knows the story behind the charges which to him do not match MR. AL-DABIOY'S personality, and he would like to continue him in his employ. He spoke of MR. AL-DABIOY'S honest character and does not understand how the kidnapping charge came about.

MAYOR GOODMAN stated to her, the employer knows MR. AL-DABIOY, and it speaks well on his behalf that there have been no problems.

COUNCILMAN COFFIN asked several questions relating to what country MR. AL-DABIOY and his former wife were from, what religion he was and what language he spoke, to which MR. AL-DABIOY answered. The Councilman asked MR. AL-DABIOY if he used an interpreter when in legal discussions with the police and District Attorney. MR. HAMIKA asked if he could interpret for MR. AL-DABIOY, but the Councilman wished for MR. AL-DABIOY to answer on his own and asked MR. HAMIKA to step away from the microphone.

Discussion took place between MR. AL-DABIOY and COUNCILMAN COFFIN as to who his attorney was and whether or not MR. AL-DABIOY had an Arabic speaking person to assist him with his legal dealings and if he understood what the altered plea was that he agreed to. COUNCILMAN COFFIN stated he was concerned that MR. AL-DABIOY did not understand the plea he agreed to.

MS. McELHONE explained for the Councilman why MR. AL-DABIOY'S name did not appear on the Nevada Sex Offenders Registry. Additional discussion took place between COUNCILMAN COFFIN and MS. McELHONE relating to MR. AL-DABIOY'S charges after which MAYOR GOODMAN stated the Councilmembers are not lawyers and this body has no capacity to make any judgement. What was before the Council was a gentleman, along with his employer, who is asking for the opportunity to work.

COUNCILMAN SEROKA confirmed with MR. HAMIKA that he was vouching for MR. AL-DABIOY with full knowledge of the allegations and that he accepted a guilty plea. The Councilman's understanding was that MR. AL-DABIOY would be working the graveyard shift as the sole employee of the store, where more than likely adults would be coming in. MS. McELHONE confirmed for the Councilman the work card was needed in order to sell alcohol. MR. HAMIKA added if MR. AL-DABIOY could not get a work card, he could not work by himself and that he could not afford two employees.

COUNCILMAN SEROKA asked if staff recommended any conditions. MS. McELHONE stated if the Council made the determination to move forward with the work card, staff would recommend it be site specific with a one-year administrative review. If nothing happened within that years' time, MR. AL-DABIOY would be granted a full work card. If something were to happen within the years' time, the work card would probably be revoked. COUNCILMAN SEROKA asked if there was any culpability by the employer since he is vouching for him. MS. McELHONE stated he is simply giving his word in front of the Council; however, if something were to go wrong at the store, there may be some liability involved.

MAYOR GOODMAN commented in her opinion, the employer is really stepping out for MR. AL-DABIOY. COUNCILMAN SEROKA also thought it remarkable that the employer appeared before the Council vouching for MR. AL-DABIOY; he appreciated him stepping forward and putting his character on the line. MS. McELHONE confirmed for the Mayor that staff's recommendation was for the work card to be for the one location despite the fact that MR. HAMIKA owns several businesses. If at the end of the year MR. AL-DABIOY is issued a full work card, he may then work at the other locations. If he wanted to move to a different store prior to the one year period, he would have to reappear before the Council. MR. HAMIKA stated he likes doing business in the City, but this is the only location he has in the City; the others are in the County. He noted he watches the 17 employees he has and has had to dismiss some because of issues.

Motion made by Bob Coffin to Approve the issuance of a site specific work card with a one-year administrative review

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

40. Discussion for possible action to approve a Temporary Alcoholic Beverage Caterer License for MANSION54 LLC dba MANSION54 at 1044 South 6th Street - Ward 3 (Coffin)

Minutes:

MARY McELHONE, Deputy Planning Director, stated Mansion54 previously operated as Hartland Mansion. It is now under new ownership and has been operating under an administrative temporary license since December 12, 2018. The owners are before the Council to ask to extend their temporary license while the background check by the Las Vegas Metropolitan Police Department for suitability is completed. As part of that approval, Business License has included a list of 13 conditions which are included as part of the backup. Additionally, staff requested a change to their standard condition "...with the authority of the Director to issue a permanent license upon receipt of a favorable investigative report" to say "...to issue a permanent license upon receipt of a favorable investigative report and no compliance concerns for the first 15 months from the date of issuance of the temporary license," which is based on some concerns staff has.

CHRISTOPHE CEVASCO and ANGELA WILLIAMS appeared representing Mansion54. With regard to the noise restrictions, MR. CEVASCO wished to clarify that they are not a nightclub but rather an events center putting together weddings and small corporate events. They understand the importance of being a good neighbor and recognizing the concerns of the neighbors, and explained the actions taken to address any noise issues.

MR. CEVASCO stated they are in the process of obtaining drawings and permits but displayed a rendering of what the view will be from Park Paseo. He explained a storage area would be created to eliminate any sound from the Park Paseo side and described the soundproofing as well as the flow of traffic so as not to disturb the neighbors on Sixth Street coming from Las Vegas Boulevard. They want to make sure no one is disturbed by their business, but would also like the opportunity to hold weddings. MR. CEVASCO expressed the current restriction allowing zero noise is difficult. There will be no music outside, just ceremonies with light background sounds.

MS. WASHINGTON also expressed concern with the no sound beyond the property line restriction. She pointed out a typical conversation in the backyard could extend beyond that as could 100 guests chatting while waiting for the ceremony to begin. As such, she asked if the restriction could be changed to "reasonable noise."

MAYOR GOODMAN asked what was considered normal for a neighborhood. MS. McELHONE read the definition of a noise disturbance from Title 9.16.030, which is applicable to residential areas and applied generally to all Wards. She clarified the applicant was not a nightclub or an events center, but rather a banquet facility. She added that a normal conversation is about 60 decibels. Because there were problems with Hartland Mansion in the past, the neighbors have expressed concerns. She explained for the Mayor that the zero noise condition could be removed, but the applicants would still be subject to the noise ordinance and that when enforcement is done, it is usually done so from the property line.

MAYOR GOODMAN said the term "reasonable" came to mind when considering human beings with a normal life who have something going on on their property. The subject location is in downtown in the heart of the old neighborhood and abuts Las Vegas Boulevard and Charleston Boulevard, which are major thoroughfares. MS. McELHONE reiterated for COUNCILMAN COFFIN that a normal conversation is about 60 decibels. For a comparison, she referenced complaints on Fremont Street where the decibel levels can reach 80 to 90 decibels. The Councilman commented this is located in an historic neighborhood, and they have to respect those that live close by, but he thought the current restriction might be restrictive and proposed having a limitation on noise from the nearest residential property line instead of the Mansion54 property line.

MS. McELHONE displayed a map of the neighborhood pointing out the business and the residential property line and asked for clarification at which point there should be no audible noise or at such a volume to be plainly audible to the human ear. The Councilman was okay with 60 decibels but not at a sustained level. COUNCILMAN COFFIN stressed the importance of abiding by the hours allowed; MR. CEVASCO and MS. WASHINGTON were amenable to the hours, noting any mistakes made in the past were during construction and due to poor communication.

JOSH COZEN McNALLY appeared in support. He stated Mansion54 was the first to immediately embrace the repositioning of 702 Give to Gives.Vegas where they seek for citizens to give of their time, money or resources, even developing their own brand called 54 Gives. He thanked the Council for what sounded like a resolution to bringing events back to the neighborhood.

COUNCILMAN COFFIN stated he would support this subject to the 13 conditions outlined with a modification to Condition Number 8 which would state "No noise or noise disturbance as defined in Title 9.16 shall be heard above 60 decibels to the nearest residential property line." Additionally, they would remain on a temporary license for 15 months. MR. CEVASCO and MS. WASHINGTON agreed to these conditions.

COUNCILMAN SEROKA asked staff the nature of the past complaints to make sure the Council was mitigating those. MS. McELHONE explained the complaints in the past related to noise and parking, and some of the conditions being placed on this license were existing conditions from the old Hartland Mansion with regard to trash, parking and security to ensure parking compliance.

Motion made by Bob Coffin to Approve subject to the 13 conditions attached with Condition 8 amended to read as follows and to issue a permanent license upon receipt of a favorable investigative report and no compliance concerns for the first 15 months from the date of issuance of the temporary license:

8. No noise or noise disturbance as defined in Title 9.16 shall be heard above 60 decibels to the nearest residential property line.

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PUBLIC WORKS - DISCUSSION**

41. ABEYANCE ITEM - Discussion for possible action regarding the permanent closure of Shetland Road at Alta Drive (\$40,000 - Traffic Improvements Capital Project Fund ([CPF]) - Ward 1 (Tarkanian)

Minutes:

See Item 8 for related discussion.

Motion made by Stavros Anthony to Hold in Abeyance Item 41 to 3/20/2019

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **YOUTH DEVELOPMENT AND SOCIAL INNOVATION - DISCUSSION**

42. Discussion for possible action on the Youth Neighborhood Association Partnership Program (YNAPP) Grant Review Board recommendations to allocate \$45,000 for 46 youth initiated projects - All Wards

Minutes:

This item was brought forward and heard subsequent to the Consent Agenda.

DR. LISA MORRIS HIBBLER, Director of Youth Development and Social Innovation, stated it was exciting to be in the 19th year of the Youth Neighborhood Partnership Program (YNAPP). To date, the program has funded 553 projects totaling \$497,957 in City investment with an astounding match of \$4.9 million, making the return on investment quite extraordinary. YNAPP offers grants up to \$1,000 to youth to implement projects to improve their neighborhoods. The Youth Development challenges them to identify a community issue or need and then develop a project to address it. DR. MORRIS HIBBLER noted there was a record number of 53 applications

submitted this year. There were some very innovative projects for which she wished to applaud the youth for being so committed to the needs of their community. These young people are not only leaders of the future but also leaders today. She also thanked the Mayor, City Council and City Manager's Office for giving an additional \$10,000 towards the program.

She thought the YNAPP Board did an astounding job, and she thanked them for their time and support. This year the Board recommended 46 neighborhood projects for a total of \$45,000, which is a testament to the hard work of CANDICE BORING, Project Coordinator. These 46 youth groups pledged over \$237,832 in volunteer labor, donations and/or in-kind services.

She was excited to announce that the first annual YNAPP Showcase would be held in May where the youth groups will discuss the impacts their projects made in their community. MAYOR GOODMAN asked where the Showcase would take place. DR. MORRIS HIBBLER stated the location had not yet been determined.

DR. MORRIS HIBBLER introduced YNAPP CHAIR ANGELICA LYNNE TARIMAN and VICE CHAIR REBECCA RICHARD.

MS. TARIMAN stated she is a senior at Canyon Springs High School and is a part of the Leadership and Law Preparatory Program as a business major. She is also the President of Canyon Springs Batteries Included. She was impressed with her colleagues and all of the youth groups that participated in YNAPP and in giving back to the community. She stated serving on the Board was a privilege and was just one of many experiences she has had with her involvement with the City of Las Vegas. She thanked the Council for the opportunity to serve and to gain more knowledge and an insight into the city where they live.

MS. TARIMAN recognized and thanked this year's 16 YNAPP Grant Review Board members which was made up of nine adults and seven youth. Using the attached PowerPoint presentation, MS. TARIMAN reviewed the Board's funding recommendations and the projects which consisted of 26 community service projects, four community improvement projects and 16 community education projects.

MS. RICHARD stated she is a sophomore, and this was her second year serving on the Board. She also thanked the Council for the opportunity to work alongside these teens and adults. It was a rewarding experience for her, and she hoped to serve on the YNAPP Board again next year. The groups that were present were asked to stand as their projects and amounts awarded were announced. This information can also be found in the attached PowerPoint presentation.

MS. TARIMAN thanked all of the groups that participated; their projects were both creative and served a community need. On behalf of the Board, she also thanked the Mayor and Councilmembers for their continued support of YNAPP, DR. MORRIS HIBBLER for believing in the youth of the communities and MS. BORING and other staff members who made the YNAPP team such a success.

MAYOR GOODMAN stated they are very proud of the applicants and awardees. She recognized the effort put into this and the impact it has on friends, colleagues, schoolmates and the whole community. She also thanked MS. TARIMAN and MS. RICHARD for their leadership on the YNAPP Board along with DR. MORRIS HIBBLER. COUNCILMAN CREAR added all of the hard work the Board does makes a huge contribution to the community. COUNCILWOMAN FIORE echoed the Councilman's comments. She stated she is hosting a dinner event at her house in April, and she wanted all of the YNAPP youth to attend.

Motion made by Stavros Anthony to Approve as recommended  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **BOARDS AND COMMISSIONS - DISCUSSION**

43. Discussion for possible action regarding the appointment of nominee Vito Galati to the Ward 2 seat of the Senior Citizens Advisory Board

Minutes:

COUNCILMAN SEROKA stated he was proud to nominate VITO GALATI for the Ward 2 seat of the Senior Citizens' Advisory Board. MR. GALATI is a leader in the community who the Councilman met personally while expressing his concerns with regard to the impact on a business in the community. The Councilman found MR. GALATI to be professional, logical, reasonable and fact-based.

Motion made by Steve Seroka to Approve the appointment of Vito Galati

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

44. Discussion for possible action regarding the appointment of nominee Krista Darnold to the Commission for the Las Vegas Centennial

Minutes:

MAYOR GOODMAN welcomed KRISTA DARNOLD following the approval of her appointment.

Motion made by Carolyn Goodman to Approve the appointment of Krista Darnold

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

45. Bill No. 2018-63 - For possible action - Annexation No. ANX-74570 - Property location: On the north side of Alexander Road, approximately 270 feet east of Gold Glimmer Street; Petitioned by: Johnson Trust; Acreage: 2.59 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony

Minutes:

Second reading and Bill adopted as introduced as Ordinance No. 6671.

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

46. Bill No. 2018-64 - For possible action - Annexation No. ANX-74572 - Property location: On the north side of Alexander Road, approximately 115 feet east of Gold Chip Street; Petitioned by: Scott Family Trust, et al; Acreage: 2.60 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony

Minutes:

Second reading and Bill adopted as introduced as Ordinance No. 6672.

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

47. Bill No. 2018-65 - For possible action - Annexation No. ANX-74574 - Property location: on the north side of Deer Springs Way, approximately 350 feet east of Hualapai Way; Petitioned by: 1997 Morton M. F. Wong and Eunice

Elizabeth Wong Revocable Trust; Acreage: 5.09 acres; Zoned: R-E (County zoning), R-E (City equivalent).  
Sponsored by: Councilwoman Michele Fiore

Minutes:

Second reading and Bill adopted as introduced as Ordinance No. 6673.

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

48. Bill No. 2019-2 - For possible action - Amends LVMC 6.40.155 to generally prohibit restricted gaming in establishments with a nonprofit club general alcoholic beverage license, and amends LVMC 6.50.150 to clarify the circumstances under which an establishment with a nonprofit club general on-sale alcoholic beverage license may allow members of the general public to enter the establishment for gaming purposes. Sponsored by: Councilwoman Michele Fiore

Minutes:

DEPUTY CITY ATTORNEY JEFF DOROCÁK stated this bill came as amended from the Recommending Committee. The First Amendment was non substantive, with the only change being to clean up the license name so that it is consistent throughout the bill.

Second reading and Bill adopted as a First Amendment as Ordinance No. 6674.

Motion made by Stavros Anthony to Approve as a First Amendment

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

### **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.**

49. Bill No. 2018-61 - Amends LVMC Titles 6 and 19 to adopt provisions establishing a business license category and land use regulations for social use venues (marijuana), together with accompanying requirements and limitations. Sponsored by: Councilman Bob Coffin

Minutes:

MAYOR GOODMAN announced although the first bill eligible for adoption at a later meeting is related to marijuana, these items were not being voted on at this time.

Recommendation noted.

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50. Bill No. 2018-62 - Establishes additional licensing requirements and limitations for short-term residential rental units within multifamily residential developments and mixed-use developments, and removes the minimum distance separation requirement between short-term residential rental units within the same multifamily residential development or mixed-use development, establishing in its place a maximum percentage of units within the same development that may be used for short-term residential rentals. Sponsored by: Councilman Bob Coffin

Minutes:

Recommendation noted.

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51. Bill No. 2019-1 - Authorizes, on a temporary basis, the waiver of certain business license-related fees and charges for qualifying new businesses to be established within the Las Vegas Medical District. Sponsored by: Councilwoman Lois Tarkanian

Minutes:

Recommendation noted.

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### **NEW BILLS**

**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.**

52. Bill No. 2019-3 - Annexation No. ANX-74811 - Property location: generally located at the southeast corner of Jensen Street and Centennial Parkway; Petitioned by: Ferrario Family Trust, Acreage: 2.55 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore

Minutes:

First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE

02/19/2019 Recommending Committee

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53. Bill No. 2019-4 - Annexation No. ANX-75175 - Property location: generally located north of Ann Road, approximately 390 feet west of its intersection with Shaumber Road; Petitioned by: Saman Ebrahimi, Acreage: 5.16 acres; Zoned: R-U (County zoning), R-E (City equivalent). Sponsored by: Councilwoman Michele Fiore

Minutes:

First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE

02/19/2019 Recommending Committee

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54. Bill No. 2019-5 - Amends LVMC 2.60.070 to adopt the most recent versions of the Nevada Local Government Records Management Program Manual and related Local Government Records Retention Schedules. Proposed by: LuAnn D, Holmes, City Clerk

Minutes:

First Reading – Referred – COUNCILMEMBERS ANTHONY, COFFIN and FIORE

02/19/2019 Recommending Committee

02/20/2019 Council Agenda

## CLOSED SESSION

55. Closed Session - Upon duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss labor issues

Minutes:

MAYOR GOODMAN recessed the meeting at 11:35 a.m. to go into Closed Session to discuss labor issues. She announced the meeting would resume at approximately 12:30 p.m. following those discussions and a lunch break.

## NOT TO BE HEARD BEFORE 11 A.M. - 56 THROUGH 81

### BUSINESS ITEMS - 11 A.M. Session

56. For Possible Action - Any items from the 11 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.

Minutes:

MAYOR GOODMAN reconvened the meeting at 12:32 p.m.

Motion made by Stavros Anthony to Hold in Abeyance Item 62 to 2/20/2019 and Items 75 and 77 to 3/6/2019  
Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Did Not Vote-Cedric Crear; Excused-Lois Tarkanian

### 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 routine non-public and public hearing items. All public hearing and non-public hearing 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.

57. MDR-75107 - DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES COMPANY, LLC - For possible action on a request for a Development Plan Review for Summerlin Village 25 on 534.99 acres at the northwest corner of Far Hills Avenue and Fox Hill Drive (APNs 137-22-101-001 and portions of 137-15-000-005 and 137-21-000-002), P-C (Planned Community) Zone, Ward 2 (Seroka) [PRJ-75011]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

While reading the items into the record, MAYOR GOODMAN indicated she would be abstaining on Item 67 because it related to medical marijuana. CITY CLERK LUANN D. HOLMES clarified that the Mayor did not need to abstain, as Item 67 did not relate to medical marijuana.

MAYOR GOODMAN declared the Public Hearing open for Items 57-61.

ATTORNEY ROBERT MARSHALL spoke on Item 60 and submitted a packet for the record which is attached as backup under that item. He noted his office at 625 South Eighth Street is directly across the street from what is being proposed. His building is a 6,600 square-foot building in which he had to meet and comply with all setback and parking requirements, etc. He stated he and a lot of other neighbors are opposed to Item 60. He displayed photographs of other buildings in the neighborhood that have met the appropriate setbacks. He went door-to-door throughout the neighborhood on Eighth Street and showed a petition of those opposed. They do not want a property to come in and be developed that ruins the neighboring properties both from a cosmetic and parking perspective. Most are a Spanish or English style, and the proposal is asking for a large parking waiver and setbacks. He did not believe that a sign was placed in front of the subject property announcing this meeting. He appreciated the Council hearing him; he is pro development in downtown, but believed what is being proposed would ruin the value of the surrounding properties.

MR. MARSHALL explained for MAYOR GOODMAN that his office building sits on what is called a double property, but it is actually four lots, each being 25 feet wide. The Mayor also asked about the parking. He explained the Campbell and Baker properties are three lots, each 75 feet wide with a developed parking lot in the back. He noted DISTRICT ATTORNEY STEVE WOLFSON also has a building in the neighborhood identical to his in size and parking.

CARLY MOSSMAN, Kora Architecture, was present to represent the applicant on Items 59 and 60. She stated this is a very small lot at 50 feet wide, where typically a 60-foot width is required for a professional office, and they are trying to maximize the site. The number of parking spaces will serve the employees the applicant is intending to have on the property. They kept everything under the height regulations so there will be one level of parking with one floor of office space above it.

WENDY CURTIS stated she has clients on Eighth Street who are opposed to the waiver of the setbacks and parking.

ROY McMAHAN stated he owns two properties on Eighth Street, one of which is adjacent to the subject property. He supports growth in the neighborhood and has had an office on Eighth Street for 25 years. He expressed parking is a major issue currently without adding another 6,500 square-foot building with insufficient parking. He stated when his 1,300 square-foot property at 626 South Eighth Street went professional years ago, he had to go through everything that was required and supply the appropriate number of parking spaces, and the property being proposed is four times the size of his building. He has one parking space on the street, and he is concerned that space will disappear if this building is approved. He also stated professional zoning requires maintenance of the residential character of the area which he did not believe this building did. He also expressed concerns with the proposal eliminating his sunlight and his line of sight to the corner. He thought the applicant should downsize to allow parking spaces in the front off of Eighth Street which would open up the area.

MAYOR GOODMAN declared the Public Hearing closed for Items 57, 58 and 61 and asked for a motion on those items only.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to conditions except Items 59 and 60

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

58. ZON-75031 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CMK 2300 CHARLESTON, LLC - For possible action on a request for a Rezoning FROM: C-D (DESIGNED COMMERCIAL) TO: C-1 (LIMITED COMMERCIAL) on 1.44 acres at 2316 West Charleston Boulevard (APNs 139-32-802-033 and 034), Ward 1 (Tarkanian) [PRJ-75023]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Item 57 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to conditions except Items 59 and 60

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

59. ZON-75115 - REZONING - PUBLIC HEARING - APPLICANT: SYLVIA ESPARZA LAW - OWNER: DOWNTOWN SANCHEZ, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.16 acres at 728 Garces Avenue (APN 139-34-810-029), Ward 3 (Coffin) [PRJ-75014]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

COUNCILMAN COFFIN was surprised at the opposition present for Items 59 and 60 and asked if anyone appeared in front of the Planning Commission.

ROBERT SUMMERFIELD stated the Rezoning of the subject site to P-O (Professional Office) is appropriate within this area of the Founders District, which is predominantly P-O zoning. The proposed office adheres to the objectives of the Vision 2045 Master Plan for Downtown Las Vegas. As such, staff recommended approval of the requested Site Development Plan Review.

MR. SUMMERFIELD pointed out the Founders District is an area of transition. Development converting existing residential properties to offices and new offices built on what was previously residential property has taken place as recently as a few years ago, some of which required a variance and some providing the necessary parking so no variance was needed. Now that this is a part of the Downtown Master Plan area, it requires a waiver, and if the project supports the goals of the Founders District, staff recommends approval. He pointed out there are a very limited number of relatively small offices within the building which is why staff supported the parking waiver. MAYOR GOODMAN asked if a precedent was set with this item, how that might affect the rest of the Founders District. MR. SUMMERFIELD explained for purposes of land uses, setting a precedent was not an issue. The Council has discretion on this approval and any future approvals that request any type of waiver. What may be appropriate for this property may not be appropriate for another property. He noted that part of the Downtown Master Plan acknowledges that this is a district in transition where changes are happening. He reiterated it is in keeping with the goals of the Founders District to have a blend of lower-scale office areas adjacent to the Federal Court building, some other areas and then transition to some older residential areas as those develop as well.

COUNCILMAN COFFIN asked how much opposition was at the Planning Commission because he saw only six protests and eight supports. MR. SUMMERFIELD did not believe any opposition appeared at the Planning Commission meeting. He stated at the Planning Commission level, 245 postcards were sent out to area residents and 37 neighborhood associations were notified. In addition, the City Clerk would have sent out notices for this City Council meeting. As of the Planning Commission meeting, only two protest postcards were received along with seven supports. He indicated this is the first he has heard that a petition was circulated.

COUNCILMAN COFFIN asked when the petition was circulated. MR. MARSHALL indicated it was done within the last two days by going door-to-door. Although referred to by the Council as a petition, he stated it contained the language that is on the postcard. The Councilman thought there was no opposition, but can now see that there is and believed the parties would have to meet to find a solution.

ASSISTANT CITY ATTORNEY BRYAN SCOTT asked if those that signed the petition were tenants or property owners. MR. MARSHALL stated both, but most were people who live or work in the neighborhood.

CARLY MOSSMAN, Kora Architecture, representative for the applicant, asked if a neighborhood meeting should be held. COUNCILMAN COFFIN did not know that a neighborhood meeting was necessary and stated his office would set up a negotiation meeting.

See Item 57 for related discussion and Item 60 for related backup.

Motion made by Bob Coffin to Hold in Abeyance to 3/6/2019  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

60. SDR-75117 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-75115 - PUBLIC HEARING - APPLICANT: SYLVIA ESPARZA LAW - OWNER: DOWNTOWN SANCHEZ, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 6,500 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF TITLE 19.08 DEVELOPMENT STANDARDS AND TITLE 19.12 PARKING STANDARDS on 0.16 acres at 728 Garces Avenue (APN 139-34-810-029), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Coffin) [PRJ-75014]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL

Minutes:

See Items 57 and 59 for related discussion and Items 59 and 60 for related backup.

Motion made by Bob Coffin to Hold in Abeyance to 3/6/2019  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

61. SUP-75092 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HOP, LLC - For possible action on a request for a Major Amendment to an approved Special Use Permit (SUP-53471) FOR A PROPOSED 3,781 SQUARE-FOOT URBAN LOUNGE USE WITH 624 SQUARE FEET OF OUTDOOR SEATING WHERE A 17,321 SQUARE FOOT URBAN LOUNGE WITH 970 SQUARE FEET OF OUTDOOR SEATING WAS PREVIOUSLY APPROVED at 1310 South 3rd Street (APN 162-03-117-001), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-74875]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

See Item 57 for related discussion.

Motion made by Stavros Anthony to Approve the One Motion One Vote Agenda subject to conditions except Items 59 and 60

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **PLANNING - DISCUSSION**

62. SUP-74648 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RG HIGHLAND ENTERPRISES, INC. - OWNER: 1916 HIGHLAND PROPERTIES, LTD. - For possible action on a request for a Special Use Permit FOR A PROPOSED 17,952 SQUARE-FOOT MARIJUANA CULTIVATION FACILITY USE at 3020 and 3030 South Valley View Boulevard (APN 162-08-302-003), M (Industrial) Zone, Ward 1 (Tarkanian) [PRJ-74269]. The Planning Commission (5-0-2 vote) and Staff recommend APPROVAL.

Minutes:

See Item 56 for related discussion.

Motion made by Stavros Anthony to Hold in Abeyance Item 62 to 2/20/2019 and Items 75 and 77 to 3/6/2019  
Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Did Not Vote-Cedric Crear; Excused-Lois Tarkanian

63. ZON-75126 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-D (SINGLE FAMILY RESIDENTIAL-RESTRICTED) on 3.36 acres at the northwest corner of La Madre Way and Jones Boulevard (APNs 125-35-702-007 through 009), Ward 4 (Anthony) [PRJ-75095]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 63-65.

ATTORNEY BOB GRONAUER appeared representing DR Horton. He noted the Planning Commission recommended unanimous approval of all three items. He reviewed on the overhead the property, which is the last of those purchased by DR Horton in this area to change from R-E (Residence Estates) to R-D (Single Family-Restricted) zoning. He pointed out those homes that are under construction and those properties that have already been rezoned, both of which have 10,000 square-foot lots. With respect to the ratio connectivity variance, MR. GRONAUER stated such has been approved for the other projects in the area, and he asked that the Council follow the Planning Commission's recommendation of approval.

ROBERT SUMMERFIELD, Planning Director, stated the proposed zoning district is compatible with the surrounding land uses and zoning districts; therefore, staff recommended approval of the Rezoning request. The proposed development requires a Variance to allow for a deviation from the required connectivity ratio. The applicant has presented no evidence of a unique or extraordinary circumstance, thereby indicating that the hardship is self-imposed. As such, staff recommended denial of the Variance request and the associated Tentative Map.

See Items 64 and 65 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 63-65.

Motion made by Stavros Anthony to Approve

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

64. VAR-75127 - VARIANCE RELATED TO ZON-75126 - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Variance TO ALLOW A 1.00 CONNECTIVITY RATIO WHERE 1.30 IS REQUIRED on 6.43 acres at the northwest corner of La Madre Way and Jones Boulevard (APNs 125-35-702-005 through 009), R-E (Residence Estates) and R-D (Single Family Residential-Restricted) Zones [PROPOSED: R-D (Single Family Residential-Restricted)], Ward 4 (Anthony) [PRJ-75095]. The Planning Commission (7-0 vote) recommends APPROVAL. Staff recommends DENIAL

Minutes:

See Item 63 for related discussion and Items 63-65 for related backup.

Motion made by Stavros Anthony to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

65. TMP-75128 - TENTATIVE MAP RELATED TO ZON-75126 AND VAR-75127 - LA MADRE & JONES - PHASE II - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Tentative Map FOR A 20-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.43 acres at the northwest corner of La Madre Way and Jones Boulevard (APNs 125-35-702-005 through 009), R-E (Residence Estates) and R-D (Single Family Residential-Restricted) Zones [PROPOSED: R-D (Single Family Residential-Restricted)], Ward 4 (Anthony) [PRJ-75095]. The Planning Commission (7-0 vote) recommends APPROVAL. Staff recommends DENIAL.

Minutes:

See Item 63 for related discussion and Items 63-65 for related backup.

Motion made by Stavros Anthony to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

66. VAR-73454 - VARIANCE - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Variance TO ALLOW A PROPOSED 90-FOOT TALL OFF-PREMISE SIGN WHERE 40 FEET IS ALLOWED AND A ZERO-FOOT SETBACK FROM FREEWAY RIGHT-OF-WAY WHERE 10 FEET IS REQUIRED on 0.20 acres on the south side of Adams Avenue, west of Interstate 15 (APN 139-27-211-061), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-72235]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 66 and 67.

ATTORNEY JENNIFER LAZOVICH appeared representing the applicant. She stated they appreciate staff and Planning Commission's recommendation of approval and gave a special thank you to COUNCILMAN CREAR and his office for working with them to come up with the proposed design.

ROBERT SUMMERFIELD stated the applicant is proposing an off-premise sign on a property adjacent to the Westside School as part of the City's Parquee Program. The sign is unique and was designed with a Historic Westside musical theme. The requested height is necessary to provide visibility from Interstate 15 due to the lower elevation of the sign base and the presence of the sound walls and the improvements as a part of Project Neon, which includes the approximate 10 feet of the frame and parquee theme above the display which does not include any sign elements. An additional Variance to allow no setback from a public right-of-way was also requested due to the irregular shape of the lot and the distance separation requirement from residentially-zoned property to the north. For these reasons, staff recommended approval of both applications.

COUNCILMAN COFFIN asked if this was an electronic board and how often the data was switched. MS. LAZOVICH confirmed it was an electronic board and believed it was every six seconds. The Councilman asked about the amount of rent. MS. LAZOVICH explained Lamar has the Request For Proposal with the City for these parquees and believed 25 percent of the royalties would be paid. She was not sure of an average for this sign, but offered to get an estimate.

CHIEF OPERATIONS AND DEVELOPMENT OFFICER JORGE CERVANTES confirmed the City does have a contract with them, but he would need to find out how much the City receives from the real estate group. In addition to the lease payment, the City also has the right to exhibit certain public service broadcasts at its discretion.

MS. LAZOVICH confirmed for the Mayor this is a two-sided board.

COUNCILMAN CREAR thanked MS. LAZOVICH for the work she has done with Lamar for creating something special that will be a gateway to the Historic Westside. This is the first of many things to come which will

highlight the rich history of this neighborhood. He fully supported this and thanked MS. LAZOVICH and the applicant for being flexible in working with his team to get this done.

See Item 67 for related backup.

Motion made by Cedric Crear to Approve subject to conditions  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

NOTE: COUNCILMAN CREAR disclosed he owns a billboard company, Crear Outdoor Advertising, and although in the business, that company is not in competition with this applicant regarding this item.

67. SUP-72606 - SPECIAL USE PERMIT RELATED TO VAR-73454 - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR A 14-FOOT BY 48-FOOT OFF-PREMISE SIGN USE on the south side of Adams Avenue, west of Interstate 15 (APN 139-27-211-061), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-72235]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL

Minutes:

See Item 66 for related discussion and Items 66 and 67 for related backup.

Motion made by Cedric Crear to Approve subject to conditions  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

NOTE: COUNCILMAN CREAR disclosed he owns a billboard company, Crear Outdoor Advertising, and although in the business, that company is not in competition with this applicant regarding this item.

68. VAR-75167 - VARIANCE - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS, ET AL - For possible action on a request for a Variance TO ALLOW DEVIATIONS FROM TITLE 19.10.020 C-V (CIVIC) DEVELOPMENT STANDARDS at the southwest corner of Foremaster Lane and Las Vegas Boulevard (APNs Multiple), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75053]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 68-71.

SAM TOLMAN appeared on behalf of the City. He stated they have reviewed these items and concurred with staff's recommendations.

ROBERT SUMMERFIELD, Planning Director, stated the site is currently providing services to the homeless population, and measures have been taken to reduce impacts to surrounding uses by utilizing restricted access points and the installation of a perimeter screen wall. Given the unique nature of assisting homeless populations, design flexibility is required to ensure the function of the site, minimize the impacts to surrounding properties and ensure the public's safety which is why staff supported the Variance request. The Courtyard will contribute to Las Vegas' strategic priorities of reducing homelessness, increasing housing stability and improving access to supportive services. As such, staff recommended approval of the Site Development Plan Review and all related Variances and Waivers.

ANTHONY CASABIANCA stated he was homeless and thought this was a great idea. COUNCILMAN CREAR thanked MR. CASABIANCA for his comments.

See Items 69-71 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 68-71.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

69. VAR-75168 - VARIANCE RELATED TO VAR-75167 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS, ET AL - For possible action on a request for a Variance TO ALLOW 31 PARKING SPACES WHERE 36 ARE REQUIRED at the southwest corner of Foremaster Lane and Las Vegas Boulevard (APNs Multiple), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75053]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Item 68 for related discussion and Items 68-71 for related backup.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

70. SUP-75166 - SPECIAL USE PERMIT RELATED TO VAR-75167 AND VAR-75168 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS, ET AL - For possible action on a request for a Special Use Permit FOR A RESCUE MISSION OR SHELTER FOR THE HOMELESS USE at the southwest corner of Foremaster Lane and Las Vegas Boulevard (APNs Multiple), C-V (Civic) Zone, Ward 5 (Crear) [PRJ-75053]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Item 68 for related discussion and Items 68-71 for related backup.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

71. SDR-75169 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75167, VAR-75168, AND SUP-75166 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: CITY OF LAS VEGAS, ET AL - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 26,582 SQUARE-FOOT RESCUE MISSION/SHELTER FOR THE HOMELESS WITH A WAIVER TO ALLOW NO PERIMETER LANDSCAPING on 2.68 acres at the southwest corner of Foremaster Lane and Las Vegas Boulevard (APNs Multiple), C-V (Civic) and C-2 (General Commercial) Zones, Ward 5 (Crear) [PRJ-75053]. The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

Minutes:

See Item 68 for related discussion and Items 68-71 for related backup.

Motion made by Cedric Crear to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

72. SUP-75105 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: GATEWAY MOTEL, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,490 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE on 1.23 acres at the northwest corner of Charleston Boulevard and Las Vegas Boulevard (APNs 139-34-410-139 and 165), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-74995]. The Planning Commission (6-1-0 vote) and Staff recommend DENIAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 72 and 73.

CHRIS RICHARDSON, RWA Architects, appeared on behalf of the applicant, Terrible Herbst. He pointed out the subject property is odd-shaped and what was being proposed was needed in order to make the project financially sound. The intent is to put a convenience store with gas station and car wash on this corner, infusing approximately \$3 million in development to bring up what is an otherwise underserved property that needs some attention. They understand and respect the vision for what staff believes would be appropriate at the location differs from theirs but requested the Council's consideration on the project.

COUNCILMAN COFFIN stated the proposal is unpopular and it has not been proven that a car wash can exist so close to the Soho Lofts. It is unknown whether the ambient noise from the car wash would exceed or be less than the traffic going by as this is a well-traveled corner. Because of the problems related to stacking, even though the applicant believed they solved this, the Councilman indicated he could not support this request and indicated he had advised TROY and TIM HERBST of such.

MR. RICHARDSON indicated he was told by the client that without a car wash and single serve, the project would not pencil. The Councilman stated he was sympathetic because he liked the idea of a car wash downtown, but it was a question of the noise they make. The Herbst brothers' have indicated they are working on silencing them so it could be possible in the future.

JACK LEVINE stated personally as a realtor that works in the downtown area he is opposed to a car wash at the proposed location, but he was present as a representative of the Historic Preservation Commission (HPC). He said this property goes back to 1931; it was built on the outskirts of the city of Las Vegas which was only about 5,000 people at that time. There have been conversations about zoning, traffic and noise, etc., but the topic of historic preservation has not come up. The HPC asked him to represent the thoughts of the Commission on the general state of the old motels that exist along Las Vegas Boulevard and Fremont Street. It is the sense of the HPC that these motels are a very valuable asset to the city of Las Vegas. There is a National Scenic Byway that has been designated by the National Park Service from Washington to Sahara Avenues. The intent is to fill this area with restored neon signs, and they would like to ensure that the buildings that exist today are maintained and preserved and adaptively reused. They would like to see the building as a fun, boutique motel again and believe that is possible. They understand the premise of the highest and best use, but these are part of the cultural heritage of Las Vegas, and they deserve to be protected. Signage laws are passed to protect the neon, but historic preservation laws are not passed for buildings. He reiterated the HPC would prefer the building be preserved and restored, and adaptively reused or reused as a hotel.

DAYVID FIGLER, President of the Historic John S. Park Neighborhood Association, echoed MR. LEVINE'S comments. After having lived in the neighborhood for almost 20 years, he has attended many meetings about downtown development and the Master Plan as far as what they are looking for, especially in this area. The Gateway Motel lives up to its name, not only being the welcoming spot for the greater downtown area and Fremont Street, but also the Arts District and 18b. At many of the meetings, there was talk about the concepts of walkability, aesthetics and the Form-Based Code. The corner of the Historic Byway on Charleston Boulevard and Las Vegas Boulevard is one such lot. There is a lot of potential there, and he encouraged the Council to support COUNCILMAN COFFIN in denying the application.

MR. FIGLER reiterated there is a lot of potential in the area and invited the Herbst family to reach out to the neighbors and the resources that exist in the 18b and downtown neighborhoods to try to find a way to

reinvigorate the area that fits into the plan. The idea of having a fourth business that sells beer and wine on that corner is not part of any Master Plan or any good thoughtful development in that neighborhood. He encouraged the Council to vote against the project and use their resources in attracting the best project for this corner.

MICHELE LARIME appeared representing the Nevada Preservation Foundation. She indicated she had previously submitted a letter via email to the Council but wanted to put on the record that they fully support Planning staff's recommendations and comments. She stated not only is the proposed development not in accordance with the walkable mixed-use environment that Vision 2045 looks at, but a major element of that vision is to keep historic preservation and the cultural identity and character of the community intact and keeping the identity of downtown as it remains. They see the loss of this important resource as MR. LEVINE pointed out

as detrimental to downtown and the important Scenic Byway historic corridor. They believe there is a much better solution and would like to see opposition to the proposed development.

With regard to historic preservation, COUNCILMAN COFFIN commented values are going up and wondered how long they could continue to hold out. He asked MR. RICHARDSON to have the owner of the property visit with Ward 3; inevitably he foresees change happening because it is hard to hold the line with land values increasing.

ROBERT SUMMERFIELD, Planning Director, added Planning staff's biggest concern was that it is an auto centric use and does not contribute to the goals of the Master Plan. As such, staff could not support the waivers requested or the design. A car wash downtown is probably not a bad thing, but the subject location is not the most appropriate place per the Vision Plan for downtown.

See Item 73 for related backup.

MAYOR GOODMAN declared the Public Hearing closed for Items 72 and 73.

Motion made by Bob Coffin to Deny

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

73. SDR-75106 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-75105 - PUBLIC HEARING - APPLICANT: TERRIBLE HERBST, INC. - OWNER: GATEWAY MOTEL, INC. - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 4,490 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND CANOPY AND A 1,150 SQUARE-FOOT CAR WASH, FULL SERVICE WITH WAIVERS OF THE INTERIM DOWNTOWN LAS VEGAS DEVELOPMENT STANDARDS on 1.23 acres at the northwest corner of Charleston Boulevard and Las Vegas Boulevard (APNs 139-34-410-139 and 165), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-74995]. The Planning Commission (6-1-0 vote) and Staff recommend DENIAL.

Minutes:

See Item 72 for related discussion and Items 72 and 73 for related backup.

Motion made by Bob Coffin to Deny

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

74. SUP-74277 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: FRANCISCO A GARCIA - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 3340 Ascona Court (APN 138-08-414-046), R-CL (Single Family Compact-Lot) Zone, Ward 4 (Anthony) [PRJ-74179]. The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

EDGAR MONTALVO, who appeared representing the owner, stated it has been a long process to get this short-term rental approved. Originally, the house was managed by a property management company which resulted in several fines, but the client is working to resolve those issues. He noted PLANNING COMMISSIONER TOUSSAINT asked FRANCISCO GARCIA, applicant/owner who was also present, to follow certain steps, one of which was to take a short-term rental certification course at the College of Southern Nevada. He also was asked to meet with the neighbors to get their input and resolve any questions. Approximately 765 postcards were sent out, and only one person attended that meeting. They have not had any complaints, and they do not believe the short-term rental will be a nuisance to the community. The course certification, proof of paying the fines, LLC documentation and support letters were submitted for the record.

ANDREW BRABSON, neighbor, stated he has known the applicant for five years; there were issues prior to MR. GARCIA taking over, but none since.

ROBERT SUMMERFIELD, Planning Director, stated this application was before the Council as a result of Code Enforcement action. The applicant is proposing to operate a non-owner occupied five bedroom short-term residential rental unit that meets all minimum Special Use Permit requirements of Title 19.12 as existed when the application was submitted. Staff recommended approval with condition number one requiring expungement if the property is to be sold. MR. GARCIA agreed to this condition.

MR. SUMMERFIELD turned the presentation over to MARY McELHONE, Deputy Planning Director, for additional information. MS. McELHONE reported there is an open Code Enforcement case which has been active since June 19, 2018. A Notice and Order was issued to cease and desist the activity July 9, 2018. The applicant was found renting to out-of-state individuals in August, and fines were assessed in the amount of \$3,620. That amount was still outstanding at the time the application appeared before the Planning Commission but has now been paid in full. No additional short-term rental activity has taken place since that time.

COUNCILMAN ANTHONY thanked the applicant for meeting with him to help in clarifying some questions he had. He noted there was significant opposition from the notices sent out with 33 opposed and only four in support. However, of the 11 homes in the cul-de-sac where the property is located, only two were opposed and four indicated their support, with no response from the rest. The applicant confirmed he lives only five minutes away from the house. The Councilman asked the applicant to go to every house in the cul-de-sac and behind his house to make sure they are aware this is a short-term rental and to provide his contact information. Staff recommended approval, and although the applicant had a problem in the beginning, he paid the associated fine, has since taken a certification class and has not rented it since. The Councilman stated he would trust the applicant, but if there were any issues, he would consider revocation. He wanted him to run a good business, but not bother any of the neighbors.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Stavros Anthony to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

75. SUP-75033 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PRECISION ASSETS - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 308 Wisteria Avenue (APN 138-36-115-046), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-75032]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

See Item 56 for related discussion.

Motion made by Stavros Anthony to Hold in Abeyance Item 62 to 2/20/2019 and Items 75 and 77 to 3/6/2019

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

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Did Not Vote-Cedric Crear; Excused-Lois Tarkanian

76. SUP-75038 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: PRECISION ASSETS - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL

RENTAL USE at 2223 East Ogden Avenue (APN 139-35-713-036), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-75037]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

NATHAN TAYLOR appeared representing the applicant. MR. TAYLOR asked the Council to follow staff's and the Planning Commission's recommendation of approval.

ROBERT SUMMERFIELD, Planning Director, stated the applicant is proposing to operate a non-owner occupied three bedroom short-term residential rental unit that meets all minimum Special Use Permit requirements of Title 19.12 as they were at the time of application. Staff recommended approval with condition number one requiring expungement if the property is to be sold. He turned the presentation over to MARY MCELHONE, Deputy Planning Director, for additional information. MS. McELHONE noted staff has not identified any short-term rental activity or compliance issues related to this property.

MR. TAYLOR clarified for COUNCILMAN COFFIN that the applicant, Precision Assets, is his client and that they have two applications on the agenda; one of which was asked to be held in abeyance. The owner, AVI SEGAL, could not be present because his wife was going into labor. The Councilman indicated he would follow staff's recommendation since the applicant meets the established requirements, they have not violated any regulations by renting the location prior to approval, it is in a busy area, and there are no objections.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Bob Coffin to Approve subject to conditions

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

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

77. SUP-75150 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ANA ORTEGA - For possible action on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 8900 Condotti Court (APN 163-05-214-029), R-PD8 (Residential Planned Development - 8 Units per Acre) Zone, Ward 2 (Seroka) [PRJ-75050]. The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.

Minutes:

Although this item was abeyed to March 6, 2019 under Item 56, MAYOR GOODMAN stated LAURA JULIUS could make her comments for the record. MS. JULIUS stated she lives in the Valley West neighborhood where the Special Use Permit is being requested. Zoning is an important factor in relation to quality of life. Their neighborhood is zoned residential planned development so that families know they are moving into a neighborhood and not a hotel community. Zoning laws need to be enforced, not changed to meet the very few. She deliberately purchased a home where there was no Homeowners Association and did not think she would end up before the Council asking that the laws that were in place when she purchased be enforced. The neighborhood has all cul-de-sacs with no through streets. Concerns she noted included safety with regard to sex offenders, renters learning the routines of the neighborhood and the potential for increased crime. She believed short-term rentals have a place in the city, but asked the Council to deny this request and let neighborhoods remain neighborhoods.

MAYOR GOODMAN informed MS. JULIUS that she gave her information to Ward 2. COUNCILMAN SEROKA thanked MS. JULIUS for expressing her concerns at the meeting and stated the applicant was going to be holding a community meeting and asked that she and her neighbors attend that meeting to voice their concerns. The Councilman referred MS. JULIUS to JORDAN SANDECKI, Special Assistant to Council.

See Item 56 for related discussion.

Motion made by Stavros Anthony to Hold in Abeyance Item 62 to 2/20/2019 and Items 75 and 77 to 3/6/2019  
Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

For-Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Did Not Vote-Cedric Crear; Excused-Lois Tarkanian

78. SUP-75094 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: WMCV PHASE I SPE, LLC - For possible action on a City Council Review of the Approval by the Planning Commission on request for a Special Use Permit FOR A PROPOSED 5,154 SQUARE-FOOT RESTAURANT WITH ALCOHOL USE at 495 South Grand Central Parkway, Suite #116 (APN 139-33-610-023), PD (Planned Development) Zone, Ward 5 (Crear) [PRJ-74607]. The Planning Commission (6-0-1 vote) and Staff recommend APPROVAL.

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY DENNIS GUTWALD, McDonald Carano, appeared representing the applicant. He stated they appreciate working with staff as well as their recommendation. He noted this restaurant would be located where Mundo used to be. They held a tavern Special Use Permit; however, this use had been downgraded.

MAYOR GOODMAN asked what kind of restaurant was being put in and if the entire facility would be used. MR. GUTWALD confirmed the whole restaurant facility would be used and that it will be a soul food restaurant operated by NATALIE YOUNG, who has opened several other successful restaurants in Las Vegas. If approved, they plan to open the restaurant within the next week.

ROBERT SUMMERFIELD, Planning Director, stated staff recommended approval of this request as the proposed use can be operated in a manner that is harmonious and compatible with the existing surrounding land uses in the area given prior approvals and operations at this location.

COUNCILMAN COFFIN commented it was great to see MS. YOUNG open at this location and thought the restaurant would be very popular. He asked about the hours of operation. MR. GUTWALD thought it would be open until 11:00 p.m. or 12:00 a.m. They had a test run with a special event permit during the World Market Center where MS. YOUNG offered a limited menu, and the place was very crowded. He thought it was going to be very well received, and it would be nice to open the location again.

COUNCILMAN CREAR stated he fully supported this project as MS. YOUNG is a sound operator. He also thought the restaurant would be very successful.

MAYOR GOODMAN declared the Public Hearing closed.

Motion made by Cedric Crear to Approve subject to conditions  
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

For-Cedric Crear, Michele Fiore, Bob Coffin, Carolyn Goodman, Stavros Anthony, Steve Seroka; Excused-Lois Tarkanian

## **SET DATE**

79. 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 the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

SUP-75044 - 2/20/2019 Agenda

SUP-73268 - 2/20/2019 Agenda

### **CITIZENS PARTICIPATION**

80. 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 the time any single speaker is allowed, may be limited.

Minutes:

DOROTHY BARNES spoke of various issues she is dealing with.

ANTHONY CASABIANCA spoke of helping the homeless and his landlord raising his rent, but not allowing him to have roommates.

### **COUNCIL MEMBER RECOGNITION**

81. 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:

MAYOR GOODMAN and COUNCILMEMBERS CREAR on behalf of Wards 5 and 1, FIORE and SEROKA announced the various events taking place in their wards on various dates throughout the months of February, March and April. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 9:47 a.m., reconvened at 9:59 a.m., was recessed to go into Closed Session at 11:35 a.m., reconvened at 12:32 p.m., and was adjourned at 2:07 p.m.

Respectfully submitted:

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Debra A. Outland, Deputy City Clerk

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LuAnn D. Holmes, MMC, City Clerk

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This meeting has been properly noticed and posted at the following locations:

City Hall, 495 South Main Street, 1st Floor

Clark County Government Center, 500 South Grand Central Parkway

Grant Sawyer Building, 555 East Washington Avenue  
City of Las Vegas Development Services Center, 333 North Rancho Drive