

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)

**February 20, 2019**  
**9:00 AM**

### CEREMONIAL MATTERS

1. Call to Order

Minutes:

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

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS TARKANIAN, ANTHONY, COFFIN, SEROKA (excused until 10:21 a.m.), FIORE and CREAR

ALSO PRESENT: CITY MANAGER SCOTT ADAMS, ASSISTANT CITY ATTORNEY BRYAN SCOTT, DEPUTY CITY ATTORNEY JEFF DOROCK, 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 - Rabbi Avi Anderson, Young Israel Aish of Las Vegas

Minutes:

RABBI AVI ANDERSON, Young Israel Aish of Las Vegas, gave the invocation.

4. Pledge of Allegiance

Minutes:

MAYOR GOODMAN led the audience in the Pledge of Allegiance.

5. Recognition of the Employee of the Month

Minutes:

MAYOR GOODMAN invited MAGGIE PLASTER, Acting Director of the Parks and Recreation Department, to the podium.

The Mayor was proud to announce the employee of the month ASHLEY KOEHLMOOS. MS. KOEHLMOOS is a Community Program Specialist at the Centennial Hills Active Adult Center in Ward 6. She works to provide activities, trips and seminars for active adults at the center. She spends much of her time getting to know many of the residents who come in and visit the facility. For Thanksgiving, MS. KOEHLMOOS helped cook a feast for more than 70 active adults at the center.

COUNCILWOMAN FIORE thanked MS. KOEHLMOOS for her dedication stating that MS. KOEHLMOOS has been providing exceptional service to and has built exceptional relationships with the seniors at the center. She organizes many events, always does the cooking and is known for her delicious meals. MS. KOEHLMOOS always has a positive attitude, accepts challenges and always follows through to complete her assigned work. She stepped up at the last minute to decorate the holiday tree at Floyd Lamb Park for Christmas on behalf of the Parks and Recreation Department. Additionally, MS. KOEHLMOOS assists with the City's Activities, Games and Exercises (AEG) Program for individuals with developmental disabilities. She assists with the annual dance and incorporates the group into an inclusive environment with seniors and assists with programming for Camp Cal. The Councilwoman was proud to have MS. KOEHLMOOS in the Parks and Recreation Department as she represents the City's values every day by being kind, committed and smart.

MS. PLASTER expressed her excitement as Acting Director as many of the Department's employees have been recognized recently. She spoke of MS. KOEHLMOOS' experience with Camp Cal and was happy she was recognized.

MS. KOEHLMOOS thanked the Mayor, Councilmembers, COUNCILWOMAN FIORE and her staff. She was honored to be selected as the Employee of the Month. She also thanked MS. PLASTER and the Parks and Recreation management team as well as her co-workers, family and friends.

An award was presented to MS. KOEHLMOOS and a photograph was taken of MS. KOEHLMOOS, the Mayor and Council.

#### 6. Recognition of the Mayor's Urban Design Award Winners

Minutes:

MAYOR GOODMAN was happy to announce the winners of the Mayor's Urban Design Awards for 2019. The awards honor projects that foster the City's commitment to sustainability and livability. The awards recognize projects that cultivate walkways and streets that are shared public spaces, promote safety, conserve resources, preserve historic buildings and places, seamlessly link to their surroundings and are pedestrian-friendly.

She listed the categories of the awards which were Building and Environment, Historic Preservation and Adaptive Reuse, Public Art, and Public Places. The Mayor stated that as the nominees and the winners are called, photographs of the projects would be shown as part of a PowerPoint presentation, a copy of which has been submitted as part of the record. She asked that as names are called, each nominee stand to be recognized. She would then ask that the winner join her at the podium to accept their award and to take a photograph.

She announced the nominees for Building and Environment which were C3 Lofts, El Benjamin, Fremont9, and The Neon Apartments. She invited the winner, Fremont9, to the podium to accept their award and to take a photograph. MICHAEL DE VILLIERS, The Wolff Company, was honored to accept the award.

MAYOR GOODMAN announced the nominees for Historic Preservation and Adaptive Reuse which were Jammyland Cocktail Bar and Reggae Kitchen, The Underground at The Mob Museum, and the Nevada Taste Site. She invited the winners Jammyland Cocktail Bar and Reggae Kitchen and The Underground at The Mob Museum to the podium to accept their awards and to take a photograph. JONATHAN ULLMAN spoke of the importance of the project to The Mob Museum and acknowledged the assistance of the City and staff.

ALAN KATZ and DANIELLE CROUCH accepted the award for Jammyland Cocktail Bar and Reggae Kitchen which started as an empty garage and MS. CROUCH'S desire to convert it into an authentic Caribbean shebeen.

The Mayor announced the nominees for Public Art which were Appropriation, Artistic Bike Racks, In Flight - Energy Liberated, Radial Symmetry, Uncommon Vegas, a photography exhibit at the Historic Westside School, and Vibrance. She invited the winner LUIS VARELA-RICO, the artist of Radial Symmetry, to the podium to

accept his award and to take a photograph. MR. VARELA-RICO stated that his sculpture is modeled after Paiute Indian basket art and took over two years to complete from conception to finished product.

Lastly, MAYOR GOODMAN announced the Main Street Beautification Project as the winner for Public Places. She invited CHIEF OPERATIONS AND DEVELOPMENT OFFICER JORGE CERVANTES to the podium to accept the award. She expressed her excitement regarding the project which has made the downtown area a more beautiful and safer place. MR. CERVANTES appreciated the patience of the business affected by the project and acknowledged the benefits of the project can now be seen with successful and thriving businesses.

7. Recognition of the Annual CJ Watson Essay Contest Winners and Senator Joseph Neal

Minutes:

COUNCILMAN CREAR wished to take time to recognize Black History Month. He acknowledged the sweater he was wearing from Howard University which was formed in 1867 and spoke of the importance of historically black colleges.

He would first recognize the students who participated in the Annual C.J. Watson Black History Essay Contest winners and welcomed CATHY JOHNSON, Executive Director and Founder of the Quiet Storm Foundation, and GEOFFREY BERRY, Treasurer of the Quiet Storm Foundation, to the podium. The Councilman explained that MS. JOHNSON, a former City of Las Vegas employee, is one of the founders of the Quiet Storm Foundation along with her husband CHARLES and their son, C.J. WATSON who is a former Bishop Gorman High School standout and NBA (National Basketball Association) player. Currently, he is a free agent of the NBA and is a product of the Historic Westside and was a member of the Doolittle Community Center.

For the past 10 years, the Quiet Storm Foundation has sponsored a black history oratorical contest each year during the month of February. The Councilman shared the Quiet Storm Foundation's mission and objectives, particularly, the four educational objects that are central to their mission. The Quiet Storm Foundation has sponsored the essay contest to not only encourage students to read and write but to also enlighten the minds of the youth in American history, and to encourage youth to research and write an essay on an influential African American who has made a significant contribution which has changed and improved the lives of others. He invited each essay participant to the podium where Certificates of Recognition were presented, copies of which has been attached.

COUNCILMAN CREAR described this year's topic is and invited AANIYAH WILLIAMS to recite her essay.

The Councilman stated that the students were interviewed by Channel 3, visited KCEP radio station and on February 13th, the students recited their essays during the Quiet Storm's oratorical luncheon at The Palazzo Tower at The Venetian Resort Las Vegas. The students' experience will continue outside of Las Vegas as on February 23rd, the students and their parents will receive an all-expenses paid trip to Washington D.C. to visit monuments and to learn more about American history.

COUNCILMAN CREAR mentioned that C.J. Watson and the Quiet Storm Foundation host a basketball camp during the summer at the Doolittle Community Center which is free of charge and includes three daily meals and teaching of life skills through basketball fundamentals and good sportsmanship.

He presented a plaque from the Mayor and City Council to the Quiet Storm Foundation for their continued commitment to providing an educational component to commemorate Black History Month. He congratulated the organization on celebrating its 10th year anniversary of hosting the Annual C.J. Watson Black History Essay Contest and student oratorical luncheon.

MS. JOHNSON accepted the plaque and presented the microphone to MR. BERRY who is the Chair of the essay contest. MR. BERRY stated that there were over 250 participants of various schools who entered the essay contest. He commented that REPRESENTATIVE STEVEN HORSFOR'S office would be hosting the students in Washington D.C. and stated that one of the highlights of the tour would be a scavenger hunt and a tour of Howard University.

A photograph was taken of the essay contest participants, MS. JOHNSON, MR. BERRY, the Mayor and Council.

COUNCILMAN CREAR invited SENATOR JOSEPH NEAL and TARA MANOR, who the Councilman specified as a City employee, to the podium. MS. MANOR recited a poem after which COUNCILMAN CREAR shared the

history of SENATOR NEAL who was born in Mound, a small town in Madison Parish, Louisiana. He moved to Las Vegas in 1954 and found the community to be as segregated as anything he had experienced in Louisiana. The Senator served in the United States Air Force and used the benefits of the G.I. Bill to study and eventually graduate from Southern University and A&M College. While at Southern University, SENATOR NEAL participated in a historic and dangerous effort to register the first Black voters in the history of Madison Parish. The Councilman spoke of SENATOR NEAL'S effort to bring political respect to the predominantly black Westside of Las Vegas. His efforts led to the reapportionment that brought many changes to the system and a chance for African Americans to serve on boards, councils, and commissions that had long been off-limits to people of color.

SENATOR NEAL was elected in 1972 to the Nevada State Senate and was the first African American individual to serve in the Nevada State Senate. The Senator served as a lawmaker for 32 years and became known by many as the conscience of the Senate. He is also a member of the Legislature's Hall of Fame. COUNCILMAN CREAR listed a few of SENATOR NEAL'S accomplishments and mentioned the release of the Senator's book titled *The Westside Slugger: Joe Neal's Lifelong Fight for Social Justice*.

COUNCILMAN COFFIN spoke of serving together with SENATOR NEAL as a former Senator.

COUNCILMAN CREAR called forward DR. CONSTANCE BROOKS, Las Vegas-Clark County Library District Board of Trustees Ward 5 Appointee, and RONALD HEEZEN, Executive Director of the Las Vegas-Clark County Library District, to the podium. SENATOR NEAL'S book was presented to DR. BROOKS and MR. HEEZEN to place the book into the collection of the West Las Vegas Library. He presented DR. BROOKS with a Certificate of Appreciation, a copy of which has been attached. The Councilman also presented SENATOR NEAL with a plaque and a Certificate of Recognition, a copy of which has also been attached.

SENATOR NEAL thanked COUNCILMAN CREAR for the recognition. He complimented the MAYOR GOODMAN and FORMER MAYOR OSCAR GOODMAN for their leadership and shared stories of his experience as a Senator. He explained that the name *Westside Slugger* was given to him by C. CLIFTON "CLIFF" YOUNG who has since passed away. He admitted the book was a biography written by JOHN SMITH who wrote thoroughly of SENATOR NEAL'S history.

MAYOR GOODMAN and COUNCILWOMAN TARKANIAN shared some kind words about the Senator, and MS. MANOR recited another poem in honor of Black History Month.

#### 8. Recognition of the Ward 6 Outstanding Citizen Award

Minutes:

COUNCILWOMAN FIORE stated that she is always looking for individuals who live in Ward 6 who go above and beyond to serve the community. She recognized HENRY LUJAN, Code Enforcement Officer who began his career with the City in 1992 and shared a story of MR. LUJAN'S military career and experience as President of the Las Vegas City Employees' Association (LVCEA).

The Councilwoman mentioned that MR. LUJAN has earned an Associate of Criminal Justice, a Bachelor of Business Management, and a Master of Business Administration and is currently pursuing a Doctorate of Business Administration. For his service, MR. LUJAN was awarded the Bronze Star Medal, Purple Heart Medal, Meritorious Service Medal, and 20 other military decorations. MR. LUJAN has also received the Nevada National Guard Distinguished Service Medal by FORMER GOVERNOR KENNY GUINN. The City of Las Vegas also recognized MR. LUJAN with the City of Las Vegas Medal of Honor on November 12, 2003.

She read several positive comments received from MR. LUJAN'S peers and shared an incident in which she believed MR. LUJAN went above and beyond.

The Councilwoman called MR. LUJAN to the podium and presented him with a Certificate of Recognition, which has been attached.

MR. LUJAN thanked COUNCILWOMAN FIORE for the recognition and stated that he could not have done this without the help of his peers and the Las Vegas Metropolitan Police Department (Metro). He thanked the LVCVA. A photograph was taken of MR. LUJAN, the Mayor and Council.

9. Recognition of Deputy City Marshal George Cooper

Minutes:

COUNCILWOMAN TARKANIAN stated that there were a number of individuals among the City's employees who go above and beyond what is necessary in providing their daily work. These individuals do not just do what is required for their job, but while doing they work, they provide an example of taking that extra step to do it better. She wished to recognize DEPUTY CITY MARSHAL GEORGE COOPER as representing this type of employee.

The Councilwoman called MR. COOPER forward to the podium.

She stated that MR. COOPER has been in law enforcement for 22 years of which the last seven years he has spent with the City's Deputy City Marshal unit. MR. COOPER has been one of the most active Officers who has been involved in a multitude of various facets of the department which the Councilwoman named.

COUNCILWOMAN TARKANIAN shared that her office was contacted by a constituent who saw MR. COOPER assist a woman living in one of the City's drainage basins experiencing a medical episode. He assisted the woman until medical professionals arrived. The Councilwoman thanked MR. COOPER for representing the City well and presented him with a Certificate of Recognition, a copy of which was not submitted.

MR. COOPER expressed his pride in working for the City of Las Vegas and could not be more grateful to have had a positive impact on someone's life. He thanked the Mayor, Council and the City's strong leadership administration.

A photograph was taken of MR. COOPER, the Mayor and Council.

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

#### **PUBLIC COMMENT**

10. 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:

LINDA RAFAEL, resident of The Ogden, asked that the abeyance request for Item 58 be denied and the item heard as the owner of the unit is an out-of-state investor and Code Enforcement has had an open case, Case No. 185731, against the unit.

JEFF BELCHER also requested Item 58 be heard.

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

11. For Possible Action - Any items from the 9AM 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 Lois Tarkanian to Hold in abeyance Item 42 to 3/20/2019 and Strike Item 45

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

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

### **CONSENT AGENDA**

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

## **CITY ATTORNEY - CONSENT**

12. For possible action to approve settlement of Malik Davis v. City of Las Vegas and Scott Spencer, Case No. A-16-737253-C in the Eighth Judicial District Court (\$55,000 - Tort Liability Fund)

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on Items 18-30 as they pertain to medical marijuana-related business, and her son is involved in the industry.

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

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

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

13. For possible action to approve award of Contract No. 19.69111.03-JH, Goods and Services Agreement for Fire Administration Transfer Switch & UPS, located at 500 North Casino Center Drive - Department of Operations and Maintenance - Award recommended to: BOMBARD ELECTRIC, LLC (\$444,298.80 - Fire Services Capital Projects Fund) - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

14. For possible action to approve Modification No. 5 to Contract No. 130018-TB-B, Building Plans Examination Services - Department of Building and Safety - Award recommended to: BUREAU VERITAS NORTH AMERICA, INC. (Not-to-Exceed \$650,000 Annually - Building and Safety Enterprise Fund) - All Wards

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

15. For possible action to approve award of Contract No. 190208-JH, Prime Design Services Contract for Lone Mountain Road Overpass at US 95, located at south half of the Lone Mountain Bridge over US 95 from Tenaya Way to Rancho Drive - Department of Public Works - Award recommended to: GCW, INC. (\$876,560 - Road and Flood Capital Projects Fund) - Ward 4 (Anthony)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

16. For possible action to approve an increase to the Construction Conflicts and Contingency Reserve for Contract No. 17.60005-JL, Symphony Park Parcels B and L, Purchase Order 388718, which are generally bounded by Symphony Park Avenue to the north, Union Pacific Railway to the east, West Clark Avenue to the south, and South Grand Central Parkway to the west - Department of Public Works - Award recommended to: THE WHITING-TURNER CONTRACTING COMPANY (\$6,168,984 - General Capital Projects Fund) - Ward 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

### **OPERATIONS AND MAINTENANCE - CONSENT**

17. For possible action to approve accepting a donation from Ply Gem Building Products, specifically a 1,624 square-foot modular building, currently located at 3150 Paradise Road - All Wards

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

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

18. For possible action to approve a Medical Marijuana Dispensary License for a Change of Ownership FROM: SERENITY WELLNESS CENTER LLC TO: SERENITY WELLNESS CENTER LLC dba OASIS CANNABIS at 1800 Industrial Road, Suite #180 - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

19. For possible action to approve a Retail Marijuana Store License for a Change of Ownership FROM: SERENITY WELLNESS CENTER LLC TO: SERENITY WELLNESS CENTER LLC dba OASIS CANNABIS at 1800 Industrial Road, Suite #180 - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

20. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for MMNV2 HOLDINGS I, LLC dba MEDMEN at 12000 Truckee Canyon Court - Washoe County, Nevada

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

21. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for MMNV2 HOLDINGS I, LLC dba MEDMEN at 12000 Truckee Canyon Court - Washoe County, Nevada

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

22. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for HEALTHCARE OPTIONS FOR PATIENTS ENTERPRISES, LLC dba HEALTHCARE OPTIONS FOR PATIENTS ENTERPRISES, LLC at 4220 East Craig Road, Suite #5 - North Las Vegas

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

23. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for HEALTHCARE OPTIONS FOR PATIENTS ENTERPRISES, LLC dba HEALTHCARE OPTIONS FOR PATIENTS ENTERPRISES, LLC at 4220 East Craig Road, Suite #5 - North Las Vegas

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

24. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for a Change of Ownership FROM: NEVADA MEDICAL GROUP, LLC TO: NEVADA MEDICAL GROUP, LLC dba BaM - BODY AND MIND at 3375 Pepper Lane - Clark County

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

25. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for a Change of Ownership FROM: NEVADA MEDICAL GROUP, LLC TO: NEVADA MEDICAL GROUP, LLC dba BaM - BODY AND MIND at 3375 Pepper Lane - Clark County

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

26. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for GRAVITAS HENDERSON, LLC dba GRAVITAS HENDERSON, LLC at 250 Warm Springs Road - Henderson

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

27. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for ROMBOUGH REAL ESTATE, INC. dba MOTHER HERB at 6265 Saddle Tree Drive - Clark County

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

28. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for GWGA, LLC dba GWGA, LLC at 1340 West Nevada Highway 372 [Sandra Tiffany, Managing Member] - Pahrump, Nevada

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

29. For possible action to approve a Marijuana Cultivation Establishment License COMPASSIONATE TEAM OF LAS VEGAS LLC dba COMPASSIONATE TEAM OF LAS VEGAS LLC at 2603 Highland Drive - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

30. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for a change of ownership FROM: LAS VEGAS NATURAL CAREGIVERS, LLC TO: LAS VEGAS NATURAL CAREGIVERS, LLC dba HOUSE OF HERBS at 6455 Dean Martin Drive, Suite G - Clark County

Motion made by Lois Tarkanian to Approve the Consent Agenda

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

31. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License for a Change of Ownership FROM: LA REYNA MEXICAN RESTAURANT & MARISCOS LLC TO: SOUL OF AFRIKA CORP dba SOUL OF AFRIKA CORP at 1750 South Rainbow Boulevard, Suite #8 [Eudora Awele Mordi-Ozigbu, President, Secretary, Treasurer, Director, Shareholder] - Ward 1 (Tarkanian)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

32. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License EL POLLO MOBILE LLC dba EL POLLO MOBILE at 621 North Eastern Avenue [Jose Montanez Martinez, Managing Member] - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

33. For possible action to approve a Temporary Banquet or Event Establish-Liquor License MONTANEZ CORPORATION dba IBIZA BANQUET HALL at 540 North Eastern Avenue, Suite #130 [Jose Montanez Martinez, President, Secretary, Treasurer, Director, Shareholder] - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

## **PUBLIC WORKS - CONSENT**

34. For possible action to approve Interlocal Contract 1058 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering design for the Alexander Road Overpass at US-95 project (\$1,100,000 - Road and Flood Capital Project Fund [CPF]) - Ward 4 (Anthony)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

35. For possible action to approve Supplemental Interlocal Contract No. 3 - 1001c to increase project funding in the amount of \$5,050,000 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) for Las Vegas Boulevard, Stewart Avenue to Sahara Avenue (\$5,050,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 (Coffin) and 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

36. For possible action to approve Supplemental Interlocal Contract No. 2 - 1027b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding and revise the project scope for engineering for the Arterial Reconstruction: Fiscal Year 2019 City of Las Vegas Maintenance (Package 7) project located at various locations more specifically shown in the contract exhibit (\$750,000 - Road and Flood Capital Project Fund [CPF]) - All Wards

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

37. For possible action to approve Interlocal Contract 1059 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for engineering design for the Pedestrian Safety Upgrades Fiscal Year 2019 project located at various locations more specifically shown in the contract exhibit (\$70,000 - Road and Flood Capital Project Fund [CPF]) - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

38. For possible action to approve Supplemental Interlocal Contract No. 4 - 785d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding in the amount of \$2,034,000 for construction for the 6th Street, Bridger Avenue to Stewart Avenue project (\$2,034,000 - Road and Flood Capital Project Fund [CPF]) - Wards 3 (Coffin) and 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

- For-Carolyn Goodman, Lois Tarkanian, Bob Coffin, Stavros Anthony, Cedric Crear, Steve Seroka, Michele Fiore;
39. For possible action to approve the ratification of Interlocal Agreement P027-18-816 between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) for Traffic Safety Engineering: Pedestrian Project Partnering for Pedestrian Safety Upgrades within the City of Las Vegas, at various locations more specifically shown in contract exhibit (\$1,315,785.28 - Traffic Improvements Capital Project Fund [CPF]) - Wards 1 (Tarkanian), 3 (Coffin) and 5 (Crear)

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

## **RESOLUTIONS - CONSENT**

40. R-1-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Lease Agreement for office space located at 330 South 4th Street, Las Vegas (APN 139-34-210-077) between the RDA and CCRP/AG BOFA PLAZA OWER, LLC (Landlord), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area 1 Ward 3 (Coffin) [NOTE: This item is related to RDA Item 5 (RA-1-2019)]

Motion made by Lois Tarkanian to Approve the Consent Agenda

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

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

## **DISCUSSION/ACTION ITEMS**

### **ADMINISTRATIVE - DISCUSSION**

41. Discussion for possible action regarding the approval of a Development and Disposition Agreement (DDA) for the sale and development of parcel B - North within Symphony Park bounded by Symphony Park Avenue to the north, Promenade Place to the east, Clark Avenue to the south and Grand Central Parkway to the west (APN 139-33-610-029) between City Parkway V, Inc. (CPV) and Jackson-Shaw Company for the purpose of the development of a convention hotel with meeting space, restaurant and other amenities in Symphony Park - Ward 5 (Crear) [Item to be heard in conjunction with Item 44]

Minutes:

This item was heard in conjunction with Item 44.

BILL ARENT, Director of Economic and Urban Development, stated that world-class cities deserve world-class projects and world-class projects require world-class developers; to that end, he was pleased to introduce MICHELE WHEELER, President and Chief Operating Officer of Jackson-Shaw Company. The item for discussion was an exciting project proposed for Parcel B of Symphony Park which is adjacent to The Smith Center for the Performing Arts. The project is a convention hotel with 400 rooms and 20,000 square feet of meeting space plus a restaurant, fitness center, and other amenities. He noted MS. WHEELER would offer additional information regarding the convention hotel which would be an AC Hotel by Marriott Brands.

Through a PowerPoint presentation, a copy of which has been submitted for the record, MR. ARENT explained that land price was negotiated through determining a value fair to the City but would also allow the proposed project to move forward. Several factors determine the price of land downtown which can fluctuate and change dramatically such as what is to be built on a piece of land, the size, adjacent parcels and whether utilities and infrastructure exist on the site.

When land is sold, the City must follow an appraisal process where two independent appraisers are hired to issue an opinion of value. If land is sold not at auction and not at the highest of two appraised values, an exemption

must be sited for either economic or redevelopment purposes. Staff has negotiated a price of \$3,402,990 which is \$30 per square foot and staff believed the amount to be a near market land value. MR. ARENT discussed the two appraisals conducted with one of the appraisals at essentially the same value. As part of the project, staff negotiated Jackson-Shaw Company paying for parking.

MR. ARENT indicated there was a minor reference error in the Development and Disposition Agreement which he stated was not material but wished to read it into the record. In the Definition section on Page 4, it states Parking Agreement has the meaning set forth in Section 14.1(a)(iii). This should read, Parking Agreement has the meaning set forth in Section 6.1(c)(iii).

The project cost is approximately \$95 million, and the estimated start date is August of 2020 with a contractual completion requirement of 2022. The project must follow the City's employment plan policy. He asserted the project was supportive of what was being done at Symphony Park and World Market Center Las Vegas. The convention hotel is planned to be a non-gaming hotel and is complementary to and not in competition with other downtown hotels.

The project will bring approximately 150 construction jobs and 150 to 175 full-time, permanent jobs to the City. Staff recommended approval of the agreement as well as the resolution, Item 44.

Utilizing a PowerPoint presentation, a copy of which was submitted for the record, MS. WHEELER displayed a rendering of the proposed hotel as she described the building. She explained that AC Hotels is a new Spanish-inspired European brand by Marriott noting that AC stands for Antonio Catalan. The hotel itself will be an upper, modern lifestyle brand within the Marriott family of hotels. AC Hotels are for the busy traveler who appreciates architecture and design, and MS. WHEELER noted they spent close attention to the sophistication and simplicity of The Smith Center along with the energy and the excitement of the exposition at the World Market Center. She stated that COUNCILMAN CREAR has been helpful in what kind of jobs will be brought to the area, and the design of the hotel is meant to open its arms to the community. In addition, they wanted to be respectful of the architectural design of The Smith Center.

She showed an image of how the hotel will incorporate into the overall Symphony Park and a second image illustrating the first floor of the hotel which will feature a restaurant, meeting room space, back of office and retail. The hotel itself will begin on the second floor and will go up to the sixth floor.

MS. WHEELER briefly explained the history of Jackson-Shaw Company which has been in Las Vegas for over two decades.

COUNCILMAN CREAR thanked MS. WHEELER for her presentation and believed this to be a great project which would bring more jobs and opportunities into Ward 5. He spoke about Ward 5 Works to prepare individuals for the jobs to become available. The Councilman looked forward to being at the groundbreaking.

MAYOR GOODMAN also agreed the project was exciting and recognized the reputation of Jackson-Shaw Company and Marriott Brands.

COUNCILMAN SEROKA thanked MS. WHEELER for taking on the task and looked forward to working with her.

COUNCILMAN COFFIN liked the project but was concerned about the pollution that exists within the railroad yards. MR. ARENT stated that it was negotiated within the agreement that the City nor City Parkway V Inc. was not responsible for environmental remediation costs in regards to the site. MS. WHEELER confirmed they were in agreement to this.

Subsequent to COUNCILMAN CREAR'S initial motion, COUNCILWOMAN TARKANIAN asked about public bidding. MR. ARENT replied a formal bid process was not conducted but the site was listed on the City's website and the property was advertised nationally, regionally and locally.

Motion made by Cedric Crear to Approve

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

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

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

42. Discussion for possible action regarding a Review of Condition to allow 35 (maximum) slots where 20 slots was approved for a Gaming Nonrestricted Limited License NEVADA RESTAURANT SERVICES, INC. dba DOTTY'S #151 at 15 North Nellis Boulevard - Ward 3 (Coffin)

Motion made by Lois Tarkanian to Hold in abeyance Item 42 to 3/20/2019 and Strike Item 45

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

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

43. Discussion for possible action to approve a Tavern License for JD HARD WORK LLC dba K PRI at 1815 East Charleston Boulevard - Ward 3 (Coffin)

Motion made by Bob Coffin to Deny

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

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

### Minutes:

JOSABAHAD GONZALEZ considered himself to be a hardworking person who, together with his wife, has created a business in Las Vegas which has generated many jobs. He was present to defend his responsibility of several events which have occurred at his businesses one of which is K'Pri Nightclub. He was committed to repairing the situation. Should the City Council approve his request for a Tavern License, MR. GONZALEZ would make changes involving the withdrawal of a Nightclub License. With these changes, his business would be conducted as a tavern, restaurant, hookah lounge, and gaming establishment.

Should MR. GONZALEZ not be eligible to operate a business, he asked that the City Council approve the Tavern License even if he must close the business to find a new buyer to operate the business.

MR. GONZALEZ expressed that he fully commits himself to comply with all requirements and conditions in order to operate a good business noting he has terminated all previous employees to maintain a drug-free establishment.

DARCY ADELBAI-HURD, Business License Section Manager, stated that staff was present to discuss K'Pri Nightclub at 1815 East Charleston Boulevard which holds a temporary Tavern License and is owned by MR. GONZALEZ and his wife. The Tavern License is an asset license and is due to expire February 27, 2019; there are no more extensions available for this license.

Las Vegas Metropolitan Police Department (Metro) conducted a background check suitability report which identified several issues which MS. ADELBAI-HURD provided details of. The source of funding for the business was unable to be identified, and there was suspicion the owners of record were not the actual owners. Social media advertisements have shown the business operating as an erotic dance establishment and nightclub which, at that time, was not licensed to do. In September of 2018, an incident occurred that led to the arrest of two Security Officers for committing battery which resulted in substantial harm to an intoxicated patron; no calls for service were reported from the business and it was not until the patron was hospitalized that Metro was informed of the incident.

MS. ADELBAI-HURD shared information regarding two other business locations in Clark County one of which was on a temporary license that was not renewed after a shooting occurred in July of 2018; the shooting was deemed a homicide. The second location where the K'Pri Nightclub owners were employees in 2015 had multiple calls for service including a stabbing and other code violations. Both businesses in Clark County are now closed.

She noted Business Licensing received an updated Metro report that indicated there were two undercover buys of narcotics at K'Pri Nightclub. Additionally, since March of 2018, there have been a number of City inspections

that have identified compliance issues that included work card violations, music being audible past the property line, offering valet service without a proper license, and offering erotic dance without a proper license.

MS. ADELBAI-HURD stated that on January 31st, City staff met with the owners, MR. and MRS. GONZALEZ, commenting that they were dishonest when staff asked if they owned any other businesses. She indicated the owners were asked twice by staff and once by the owners' attorney and MR. GONZALEZ said he did not own any other businesses; however, in a phone conversation with Business Licensing, he admitted to owning a tavern in North Las Vegas. Since then, MR. GONZALEZ has told the City that he wants to sell the license to a key employee who is still under investigation.

Business Licensing recommended denial for the reasons mentioned. By denying the license, it would no longer be a viable license to sell.

COUNCILMAN COFFIN wondered what would happen should the Council deny the application. MS. ADELBAI-HURD stated that typically when a temporary license is denied, the asset goes away. There was an option to place conditions on the license should the Councilman choose to do so. Staff recommended denial and was cautioning the Council as MR. GONZALEZ had stated that he wished to sell the business to an employee, and she believed the same incidences would continue to happen if the business was sold to an employee.

COUNCILMAN COFFIN asked if MR. GONZALEZ had anything to comment in regards to what has occurred at the subject location. MR. GONZALEZ did not believe what was said was true and believed there was a misunderstanding as he and his wife were the sole owners of the business.

Subsequent to the vote, MR. GONZALEZ asked if there was a way to appeal the Council's decision. COUNCILMAN COFFIN said there is no appeal of the Council's decision but MR. GONZALEZ could speak to FELIPE ORTIZ, Special Assistant to Council.

## **RESOLUTIONS - DISCUSSION**

44. R-2-2019 - Discussion for possible action regarding a Resolution authorizing City Parkway V, Inc. to sell Parcel B - North within Symphony Park bounded by Symphony Park Avenue to the north, Promenade Place to the east, Clark Avenue to the south and Grand Central Parkway to the west (APN 139-33-610-029) for the purpose of economic development without first offering it to the public and for less than fair market value to Jackson-Shaw Company for the development of a convention hotel and related amenities in Symphony Park - Ward 5 (Crear) [Item to be heard in conjunction with Item 41]

Minutes:

This item was heard in conjunction with Item 41.

Motion made by Cedric Crear to Approve

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

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

## **BOARDS AND COMMISSIONS - DISCUSSION**

45. Discussion for possible action regarding the nomination of Councilwoman Michele Fiore to continue serving as the City of Las Vegas representative on the Tule Springs Fossil Beds National Monument Advisory Council

Motion made by Lois Tarkanian to Hold in abeyance Item 42 to 3/20/2019 and Strike Item 45

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

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

## **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

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

46. Bill No. 2018-62 - ABEYANCE ITEM - For possible action - 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

Motion made by Bob Coffin to Approve as a First Amendment

Passed For: 2; Against: 5; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

Upon reading the title of the Bill, DEPUTY CITY ATTORNEY JEFF DOROCOK stated that the Bill had been held in abeyance and there was a proposed first amendment which ROBERT SUMMERFIELD, Planning Director, was prepared to discuss. Because of the proposed first amendment, legal counsel recommended the item be opened for public comment; however, the Mayor could limit the public comments to only the amendment as the public was heard from previously regarding the Bill.

MAYOR GOODMAN asked for the Recommending Committee vote. MR. SUMMERFIELD replied the Bill did not go to Recommending Committee and came to a body of the whole which was the full Council. A public hearing has been conducted previously, and there has been no official recommendation regarding the Bill.

MR. SUMMERFIELD explained that the amendment being proposed was mentioned at the last City Council meeting where the Bill was an item for discussion. When the short-term residential rental ordinance was updated, this item was in the works but was not a companion item at that time. As a result, the two items had to be joined to address two issues. The first issue was this bill was never intended to require owner occupancy if the establishment was a short-term residential rental in a mixed-use or multi-family building. Additionally, it needed to address the 660-foot distance separation requirement. The amendment clarifies this language and joins it with what the Council previously approved. He noted staff's efforts clarify the term owner-occupied as there have been situations in which an applicant identifies themselves as a percent owner; staff has worked with the City Attorney's Office to clarify what percentage is required in order to constitute owner-occupied.

He confirmed for COUNCILWOMAN TARKANIAN that at the moment there is only one short-term residential rental unit approved for The Ogden which would be a building affected by the proposed ordinance. He explained the proposed ordinance would allow for more than one to be requested. Under the current ordinance, no new requests can be made for The Ogden because, in most cases, they cannot satisfy the owner occupancy requirement, there cannot be another approved because one short-term residential rental is already on site, and, per the ordinance previously adopted, there are no longer any waivers allowed. If this amendment is adopted, it will treat mixed-use and multi-family developments differently by regulating a five percent cap on the units in the residential portions of these types of developments instead of a 660-foot distance separation requirement within the property.

COUNCILMAN SEROKA stated that Council makes rules to be applicable to all buildings and believed short-term residential rentals in a multi-family development is different than in a single-family home as when someone is allowed to be a guest in a multi-family building they are utilizing the amenities with everybody else which changes the nature of the building. He expressed the attempt to develop a community of permanent residents in the downtown area. He acknowledged the comments made by constituents in the past and stated that he did not support allowing short-term residential rentals in multi-family buildings.

COUNCILMAN ANTHONY did not think there was any reason The Ogden or other multi-family and mixed-use buildings should be treated differently than the rest of the city. He asserted there were short-term residential rental rules for the entire city of Las Vegas and they should be applied to The Ogden and these types of properties; therefore, he would be voting against the proposed ordinance.

The following residents of The Ogden spoke in opposition to the Bill: ANGELA PAINO, LEE GOBLIRSCH, LINDA RAFAEL, JEFF BELCHER. The individuals cited concerns with noise, trash, and transient activity.

MS. RAFAEL submitted a protest letter, a protest petition and other documentation for the record and which has been attached as backup.

COUNCILMAN COFFIN stated that this bill was needed for the amending purposes of correcting the City's overreach of the first bill the City voted for.

This bill would limit short-term residential rentals to one unit per floor and those who own them legally would have to pay for additional security. He believed if this bill was passed, it would address any future issues regarding short-term residential rentals in multi-family and mixed-use developments built within the city limits if the matter is not addressed in the buildings CC&Rs (Covenants, Conditions & Restrictions). He noted each purchaser has property rights, some of whom intended to use them as investment properties to rent, and this bill forces the HOA (homeowners association) to abridge those rights. The Councilman emphasized the City would not have to pay for security.

See Items 52 and 58 for related discussion.

47. Bill No. 2019-1 - For possible action - 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

Motion made by Stavros Anthony to Approve

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

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

#### **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.**

48. 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:

Recommendation noted.

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49. Bill No. 2019-3 - For possible action - 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:

Recommendation noted.

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50. Bill No. 2019-4 - For possible action - 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:  
Recommendation noted.  
3/6/2019 Council Agenda

51. 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:  
Recommendation noted.  
3/6/2019 Council Agenda

**NOT TO BE HEARD BEFORE 11 A.M. - X THROUGH X**

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

52. Any items from the 11 AM session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

Motion made by Lois Tarkanian to Hold in abeyance Item 59 to 3/20/2019

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

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

Minutes:  
MAYOR GOODMAN asked for further clarification regarding the request to abey Item 58.

ROBERT SUMMERFIELD, Planning Director, stated that he did not have any further information beyond that the applicant of Item 58 requested an abeyance. The Mayor wondered if public comment could be accepted to which MR. SUMMERFIELD replied that the public can speak on the abeyance request after which the Council may vote. Should the Council not choose to abey the item, the regular public hearing on the actual item would be held.

SABA TAILOR-AKBER, applicant, explained she had requested the abeyance as she was awaiting a decision by her HOA (homeowners association) regarding a previously approved ordinance.

COUNCILMAN COFFIN asked for advice from legal counsel as Item 46 had not passed, and he wondered if it made sense for the applicant to request an abeyance to 4/3/2019. ASSISTANT CITY ATTORNEY BRYAN SCOTT replied no as he was not sure what would change between the present moment and April 3rd.

MR. SUMMERFIELD clarified that Bill No. 2018-62 (Item 46) would not bare on the Council's actions on Item 58 as the application was submitted during the time when a waiver was an allowable request. The action the Council would take on Item 58 would be independent of the bill. He asserted it would be appropriate for the Council to take action on the item based upon the rules that applied when the applicant submitted her application which did allow for the application to request the waiver of the distance separation. He confirmed for MR. SCOTT that the application was in order for the Council's consideration and did not violate any of the City's rules as it was submitted prior to the enactment of the most recent ordinance.

COUNCILMAN COFFIN asked MS. TAILOR-AKBER if any other rentals existed on her unit's floor to which MS. TAILOR-AKBER replied no but was unsure. Because the bill did not pass, COUNCILMAN COFFIN believed the best The Ogden would let MS. TAILOR-AKBER do is to be the only short-term residential rental unit on her floor. He asked her to consider the possibility that even if the Council approves her application, The Ogden's CC&Rs (Covenants, Conditions & Restrictions) may not allow it.

MR. SCOTT reminded the Council they were to consider abeying the item at the moment. Should they wish for the item to be heard, the item would have to open for public hearing.

COUNCILMAN COFFIN wished to know if the applicant had had any Code Enforcement violations and if she was currently operating. MS. TAILOR-AKBER stated that when she was informed she could not operate, she ceased operation. She indicated that when she purchased the unit, she was not informed that she could not operate it as a short-term residential rental.

Upon further discussion, it was determined Item 58 would be heard at its appropriate time on the agenda.

## **HEARINGS - DISCUSSION**

53. Public hearing and discussion for possible action regarding a request for a waiver and/or reduction of fees totaling \$1,272.25 in out of pocket costs, and \$19,500.00 in civil penalties for a total of \$20,772.25 recorded against the property located at 5009 TROPICAL GLEN COURT PROPERTY OWNER: TOLLEFSON MIKE - Ward 6 (Fiore)

Motion made by Michele Fiore to Deny

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

As a PowerPoint presentation was displayed, a copy of which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the purpose of the item. Code Enforcement completed an abatement on April 23, 2018, and there is a total of outstanding hard costs of \$1,272.25 and outstanding daily civil penalties of \$19,500 for a total of \$20,772.25. The property appears to be under current rehabilitation activity, and the new property owner purchased the property in December of 2018 for \$213,000. The current value of the property on Zillow.com is \$307,000 and the current value of the property on Realtor.com is \$308,000. Staff requested denial of the waiver request.

Seeing that they were not present, COUNCILWOMAN FIORE wondered where the applicant was. MS. OZUNA stated that the applicant was notified of the public hearing. She confirmed the property was purchased from an auction and, had the property owner done his due diligence prior to purchasing it, he would have been made aware of the liens that were recorded against the property. MS. OZUNA added that she had also had a conversation with one of her Code Enforcement Officers who had advised the property owner of the liens prior to the property owner purchasing the property. She informed the Councilwoman the property owner had submitted the waiver request.

MAYOR GOODMAN declared the Public Hearing closed.

54. Discussion for possible action to approve the ratification of the City Manager's declaration of imminent hazard and invoking of NRS 332.112 Emergency Contracts to resolve an emergency due to the life-endangering imminent hazards at El Cid aka 233 South 6th Street & 232 South 7th Street - PROPERTY OWNER: GOOD EARTH ENTERPRISES INC. - Ward 3 (Coffin)

Motion made by Bob Coffin to Approve with direction to the Building Official to issue the demolition permits today (February 20, 2019) and upon receipt of the air quality permits from Clark County, submit them to the City of Las Vegas for the record and for the property owner to install fencing around the property by the end of the day (February 20, 2019) otherwise the City of Las Vegas shall do it

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

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

Minutes:

As a PowerPoint presentation was displayed, a copy of which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the purpose of the item. She stated that Code Enforcement has had a history with the subject properties and the property owners, JEFFREY and SOPHIA LAU. Since 2006, 20 cases have occurred between the two properties, the El Cid Hotel and the Annex Building, and all have involved transient activity. The owners, Good Earth Enterprises Inc. (MR. and MRS. LAU), have not been responsive to previous Code Enforcement action and have a history doing only the minimum amount of action necessary to secure the property; however, they do not secure to City of Las Vegas standards. MS. OZUNA added that Code Enforcement staff and the Las Vegas Metropolitan Police Department (Metro) continuously receive complaints from neighboring properties, and children walk past these properties daily on their way to and from the high school across the street from the properties. The properties are a nuisance, danger, and blight to the neighborhood.

MS. OZUNA stated that Metro has had 105 calls for service for these properties from October 2018 through February 14, 2019, Las Vegas Fire and Rescue has had seven calls for service providing a timeline of the fires and a summary of Code Enforcement action. She mentioned that both entities have had staff who have been injured by smoke inhalation and have been exposed to asbestos.

Staff requested approval to proceed with the demolition of the El Cid Hotel and although the owner has expressed she has a plan, staff was not confident MRS. LAU would follow through based upon past experiences.

MS. OZUNA informed the Mayor that staff would like to proceed with the demolition as soon as possible. She believed the contractor who was present on behalf of MRS. LAU was the same contractor the City would utilize. She noted permits must be obtained prior to demolition, so no matter who initiated the process, there would be about a two- to three-week delay. She believed MRS. LAU would have the contractor install fencing immediately but expected the contractor or MS. LAU'S representative to speak to that.

CITY MANAGER SCOTT ADAMS explained his decision to declare the El Cid Hotel an imminent hazard was based on all of the information presented by MS. OZUNA. He thought the most compelling information was the fact there has been a number of recent fires in addition to staff identifying people within the building creating the potential for loss of life due to the inability to secure the property. He believed staff has been careful in coupling the City Manager's declaration with ratification by the Council so that upon approval by the Council, should the property owner not take action to demolish the building, the City will do it.

In response to the Mayor's inquiry about a timeline, MR. ADAMS asserted the demolition needed to happen immediately as that was the purpose of his declaration. ASSISTANT CITY ATTORNEY BRYAN SCOTT acknowledged the need to address the issue of asbestos prior to demolition.

SGT. BETH SCHMIDT, Community Policing Sergeant for the Las Vegas Metropolitan Police Department, Downtown Area Command, appeared representing Metro. SGT. SCHMIDT indicated Metro's preeminent concern is safety as there have been six officers who have had to file workplace safety violations because of smoke inhalation after responding to one of the fires. She asserted personnel is not equipped for asbestos either; therefore, her officers will not enter into the properties. She asked for the Council's support and believed MRS. LAU needed to be held accountable.

DEPUTY FIRE MARSHAL RICK ROZIER, Las Vegas Fire and Rescue, was present to support the demolition of the building.

ATTORNEY TIMOTHY ELSON, The Law Offices of Timothy Elson, appeared representing Good Earth Enterprises Inc. and expressed that his client was in agreement with the demolition of the buildings. Present with him were BRETT HAGEDORN, Regional Manager of Construction Group International, and BRIAN GODDARD, Construction Group International (CGI), who he believed were the same contractors the City would retain in order to handle the asbestos removal and demolition. MR. ELSON believed MS. OZUNA would confirm she has seen significant progress by his client since he has been involved in the matter which has been for a few weeks.

He asserted the property owner was moving forward with a solution indicating that low gates have already been installed on the subject site and permits have already been submitted to the City; as soon as those permits are approved, work would start with CGI. MR. ELSON stated that fencing would be installed as soon as it is received.

With respect to the fencing, MAYOR GOODMAN responded that waiting until the fence is received was not satisfactory. She stressed the importance of safety adding that something needed to be done even if it is 24-hour security in the interim.

MR. ELSON understood this stating that 24-hour security already exists and CGI has boarded up the premises.

MAYOR GOODMAN requested a response from MR. ADAMS who opined the issue was immediate. He found it interesting the property owner had retained the same contractor as the City but believed the property owner should be able to mobilize as quickly as the City could. He suggested deferring to MS. OZUNA on her recommendation for immediate timing.

The Mayor acknowledged the property owners own five buildings; she wondered about their locations and if they were in imminent disrepair and a nuisance. MS. OZUNA stated that the other buildings were not in as bad of shape as the two being discussed. She noted a Notice and Order was in effect for two of the other buildings; however, the El Cid Hotel and the Annex Building were the main problems at the moment.

MS. OZUNA disagreed with MR. ELSON'S comments and stated that she has had to have several conversations with security companies who work in the area about not entering the buildings. In addition, she has been vocal with MRS. LAU and her representatives that the property owners need to take immediate action. With the Council's approval, MS. OZUNA asserted she would have the fencing installed immediately noting MRS. LAU was asked to fence the property in the Notice and Orders previously issued. She commented that the first part of the abatement must address the asbestos which she believed would take a couple of weeks.

COUNCILWOMAN FIORE wondered when MRS. LAU planned to demolish all of the buildings. MR. ELSON said as soon as the permits are approved clarifying that they would be operating under the same timetable that the City would be operating under. In response to MR. ELSON'S reply, the Councilwoman wondered what the issue was with installing fencing immediately. MR ELSON restated the fencing has been ordered and as soon as it is received, it would be installed.

COUNCILWOMAN FIORE suggested the property owner act immediately on the fencing.

Because it had come to the attention of the Council, COUNCILMAN COFFIN asked the addresses of the other buildings to be addressed by CGI to which MR. ELSON identified the buildings as 232 South 7th Street; 233 South 6th Street; 210 South 7th Street; 615 East Carson Avenue; 203, 205 and 207 South 6th Street; 216 South 7th Street; and 201 South 6th Street.

MAYOR GOODMAN, at the direction of legal counsel, reminded the Council the item was only agendaized for 233 South 6th Street and 232 7th Street. She acknowledged the information MR. ELSON provided was helpful to the Council; however, they were not agendaized to address it.

COUNCILMAN COFFIN acknowledged 201 South 6th Street was a historic building. He hoped any decision to allow the destruction of that building to be delayed and the Historic Preservation Commission made aware.

COUNCILMAN CREAR thought there was a lack of attention by the property owners to these buildings which he believed has been occurring for some time. He would support the City Manager's declaration.

KEVIN McOSKER, Director of Building and Safety, indicated the Building and Safety Department had not received permit applications for the demolition of 232 South 7th Street and 233 South 6th Street. MAYOR GOODMAN wondered how this was possible as MR. ELSON had alleged that his client was awaiting a response regarding the permit applications. MR. ELSON replied the permit applications were submitted the morning of the meeting. MS. OZUNA clarified there are several different types of permits needed noting the property owner's contractor had applied with Clark County for the dust permit in addition to others prior to applying for the building and safety permits.

MR. HAGEDORN understood the nature and the severity of the issue. He briefly explained the process to obtain the permits noting they had applied for permits with Clark County, (Occupational Safety and Health Administration) OSHA and Southern Nevada Regional Health District which typically take 10 working days a piece. Once those documents are received, they can pursue the demolition permit. He confirmed the dust permit application was submitted the morning of the meeting and was a total of 519 pages; the dust permit must be received prior to application for the demolition permit. Once those permits are received, they can move forward with the asbestos abatement and the removal of the buildings. MR. HAGEDORN stressed that there was a

considerable amount of environmental concern and asbestos in the structures. He did not see the completion of the overall project occurring until July. In regards to the fencing, several different options were being reviewed such as a temporary fence. He noted MR. GODDARD had met with the fencing contractor recently adding they were moving on with the project as expediently as possible.

MAYOR GOODMAN asked if the waiting period discussed was normal. CHIEF OPERATIONS AND DEVELOPMENT OFFICER JORGE CERVANTES confirmed this was the typical process to obtain the required permits; however, the Council may direct the Building Official to issue the permits immediately.

ROBERT SUMMERFIELD, Planning Director, reminded the Council the agenda item only pertains to the El Cid Hotel and the Annex Building; any other building proposed for demolition would be evaluated by staff for any historic preservation criteria. He specified the building at 201 South 6th Street was not one of the buildings Code Enforcement has made any request for demolition on.

MR. ELSON asked that if the City would not consider denial, he and his client would at least request abeyance of the item until March.

MICHELLE LARIME, Nevada Preservation Foundation, did not believe demolition was the only answer and asked the Council to consider other options.

COUNCILMAN COFFIN would move for approval as he supported the City Manager's decision noting he has represented this area of the city for many years. He did not want another emergency responder to enter into the building as he felt they were at danger of asbestos and other environmental hazards.

At the request of the Mayor, MR. CERVANTES articulated his suggestion for the motion of the Councilman.

Further discussion was held among the Council, MR. ELSON and MR. SCOTT in reference to the installation of fencing. Should the property owners not put up the fencing immediately, it was agreed upon that the City would do it.

MR. SCOTT reiterated the motion of COUNCILMAN COFFIN after which MR. ELSON asserted he was not consenting to anything being added to the agenda but wished to make it clear he and his client understood the City's position that if they do not put up the fence, the City would take action. He reiterated several times that he was not consenting but only that he understood the City's position. Being an imminent hazard, MR. SCOTT stated that MR. ELSON did not have to agree to anything.

MR. ADAMS asked if there was an ability to override the other air quality agencies given the imminent hazard and public safety nature of the matter. MR. McOSKER advised against bypassing the asbestos issue. MR. ADAMS acknowledged the motion but he would explore to the greatest extent possible the City's ability to expedite the matter further.

See Item 61 for related discussion.

55. Public hearing and discussion for possible action regarding a request for a waiver and/or reduction of fees totaling \$4,839.75 in out of pocket costs, and \$19,500 in civil penalties for a total of \$24,339.75 recorded against the property located at 860 North 29th Street - PROPERTY OWNER: RACZKOWSKI ROSE B - Ward 3 (Coffin)

Motion made by Bob Coffin to Approve the out-of-pocket expense costs of \$4,839.75 and \$1,950 in daily civil penalties for a total of \$6,789.75 to be paid within 30 days

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

As a PowerPoint presentation was displayed, a copy of which has been attached as backup, VICKI OZUNA, Code Enforcement Section Manager, reported the purpose of the item at the request of THOMAS MOORE who

represents the current property owner of the Estate of Rose Raczkowski for the property at 860 North 29th Street. The item was heard before the Council on October 17, 2018, January 16, 2019, and was again before the Council for consideration.

MS. OZUNA stated that MR. MOORE was advised to clean up the property and the item was rescheduled. The hard costs of \$4,839.75 and the civil penalties of \$19,500 are still outstanding for a total of \$24,339.75. Currently, the property has not been rehabilitated although it appeared some debris has been removed from the front of the property. She indicated the current value of the property on Zillow.com is \$204,522. Staff requested denial of the waiver.

TAYLOR WAITE, Clear Counsel Law Group, appeared representing the MR. MOORE and stated that they were aware nothing has been done to the property but mentioned that under the probate provisions the administrator is not required to come out-of-pocket regarding an estate. He asserted the property is owned by a decedent and there were no other assets in the estate except for this single property. MR. WAITE expressed the need to negotiate the abatements and commented that a lender was willing to come up with \$7,100 to pay toward the abatement and a buyer who was willing to rehabilitate the property.

After conducting due diligence on the property, COUNCILMAN COFFIN determined it met the criteria for a reduction of fees.

MAYOR GOODMAN declared the Public Hearing closed.

## **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 - DISCUSSION**

56. 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.

Motion made by Lois Tarkanian to Deny

NOTE: MAYOR GOODMAN abstained from voting on this item as it pertains to medical marijuana-related business, and her son is involved in the industry.

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

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

Minutes:

COUNCILMAN ANTHONY declared the Public Hearing open.

ATTORNEY AMY SUGDEN appeared representing the applicant, RG Highland Enterprises, Inc., and introduced RICHARD GINOCCHI, Principal of RG Highland Enterprises, Inc.

ROBERT SUMMERFIELD, Planning Director, reported that the subject site was in compliance with all Title 19.12 minimum Special Use Permit requirements; therefore, the proposed activity can be conducted in a compatible and harmonious manner. Staff recommended approval of the project.

MAYOR PRO TEM TARKANIAN stated that she has received comments from the public and the Las Vegas Meadows senior area and the area near Palace Station Hotel and Casino. She had concerns about having a cultivation facility at the proposed site and after reviewing the application information, she could not support the request.

Subsequent to the motion, MS. SUGDEN commented she had met with MAYOR PRO TEM TARKANIAN and had requested to be advised of any meetings that were necessary with any of the neighbors. She was aware of the Councilwoman's concerns regarding odor and indicated her client has already been a successful operator of a cultivation facility located in Ward 3. She acknowledged the City's strong odor control policy and believed MR. GINOCCHI has successfully proven that he can comply with the City's odor requirements. Additionally, MR. GINOCCHI has met with the neighboring businesses who were in support, and MS. SUGDEN indicated they had not received any feedback protesting the proposed use. Lastly, MS. SUGDEN asserted cultivation facilities are different and have incredible security, and she believed the use would be compatible with the neighborhood.

MAYOR PRO TEM TARKANIAN acknowledged the concerns of the residents who live in the subject area and declared the Public Hearing closed.

57. EOT-75553 - EXTENSION OF TIME - NONCONFORMING - PUBLIC HEARING - APPLICANT/OWNER: GARDEN CITY, LLC - For possible action on a request for an Extension of Time FOR A NONCONFORMING MOTOR VEHICLE DEALERSHIP (NEW) USE at 5750 Sky Pointe Drive (APN 125-27-402-005), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Fiore) [PRJ-75287]. Staff recommends DENIAL.

Motion made by Michele Fiore to Approve

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JOE KENNEDY introduced DAVID MAFFEY and RENALDO TIBERTI all of whom are a part of the ownership group that owns the subject property.

ROBERT SUMMERFIELD, Planning Director, reported this was the ninth, one-year Extension of Time request for a legal, nonconforming automobile sales use at this location. The applicant continues to indicate they have lost their franchise dealership in bankruptcy and provides no other justification. A new franchise dealership was entitled, constructed and opened on the southeast corner of Centennial Parkway and Riley Street within the last two years. As such, staff finds, pursuant to Title 19.14, the applicant has not provided substantial evidence establishing an economic hardship based upon market conditions or other circumstances beyond the applicant's control; therefore, staff recommended denial of the request.

COUNCILWOMAN FIORE wished to grant a three-year extension; however, MR. SUMMERFIELD confirmed this was a nonconforming use and the applicant must return and prove to the Council there is justification to continue the nonconforming status.

MAYOR GOODMAN declared the Public Hearing closed.

58. SUP-73268 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SABA TAILOR-AKBER - For possible action on an Appeal of the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 660 FEET IS REQUIRED at 150 North Las Vegas Boulevard, Unit 1013 (APN 139-34-613-053), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-72861]. The Planning Commission (7-0 vote) and Staff recommend DENIAL.

Motion made by Stavros Anthony to Deny

Passed For: 4; Against: 3; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

COUNCILWOMAN TARKANIAN understood the applicant's request for a Special Use Permit could be granted based upon the old regulations regarding short-term residential rentals. MAYOR GOODMAN confirmed this was correct and acknowledged the applicant could be granted an abeyance which was what the applicant had originally requested. ASSISTANT CITY ATTORNEY BRYAN SCOTT stated that the only discrepancy with this application was the Waiver request from another short-term residential rental.

ROBERT SUMMERFIELD, Planning Director, confirmed the Councilwoman's understanding stating that the application was applicable to the old regulations which allowed for non-owner occupied and allowed for the request of a Waiver of the distance separation requirements. He explained that because Bill No. 2018-62 (Item 46) was denied, this item was still an active application. In addition, MR. SCOTT explained that the applicant was requesting an abeyance which would continue to be applicable to the old regulations.

SABA TAILOR-AKBER, applicant, stated that she had originally purchased the unit to live there but had she known there was an ongoing issue with short-term residential rentals, she would have bought a house in Henderson. She asserted that when an individual purchases a unit at The Ogden, they are provided a copy of the CC&Rs (Covenants, Conditions & Restrictions) which allow for short-term residential rentals.

MAYOR GOODMAN wondered if MS. TAILOR-AKBER wished to abey the application. MR. SUMMERFIELD believed the applicant was willing to have her hearing and a decision made immediately on the application. MS. TAILOR-AKBER confirmed this.

COUNCILMAN COFFIN wondered if there had been any code violations. MR. SUMMERFIELD replied there had not been any noting once the applicant was notified that short-term residential rentals require a license and Special Use Permit, activity ceased and the applicant has been following the steps to seek Council approval. COUNCILMAN COFFIN asserted there was no guarantee MS. TAILOR-AKBER would be given the privilege by The Ogden even with the Council's approval as The Ogden could choose to grant that privilege to another individual. MR. SUMMERFIELD clarified that no one else on that floor can have that privilege because the proposed ordinance did not pass. However, based upon the new CC&Rs, it was his understanding MS. TAILOR-AKBER would still require separate approval by The Ogden.

MR. SUMMERFIELD informed the Councilman that MS. TAILOR-AKBER had been in the application process quite some time. He believed this was last of the pending applications for The Ogden and, subject to the Council's approval, this application would be the only short-term residential rental on the unit's floor in accordance to The Ogden's CC&Rs.

COUNCILMAN ANTHONY commented that the Council was considering a waiver, and he had not heard any articulating reason why the Council would grant a waiver. He proceeded to make a motion for denial. See Items 10 and 52 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

59. SUP-75044 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: VALERIE MARTINET - For possible action on an Appeal of the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED SHORT-TERM RESIDENTIAL RENTAL USE at 2112 Mission Peak Circle (APN 163-01-812-015), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-74500]. The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL.

Motion made by Lois Tarkanian to Hold in abeyance Item 59 to 3/20/2019

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

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

## **SET DATE**

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

Minutes:

MAYOR GOODMAN advised the City Clerk, LUANN D. HOLMES, to set the date for all applicable items.

Appeals for WVR-75200 and VAR-75205 - 3/6/2019 Agenda

## **CITIZENS PARTICIPATION**

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

Minutes:

Acknowledging the discussion held on Item 54 regarding the El Cid, MICHELLE LARIME, Nevada Preservation Foundation, spoke about the importance of finding other solutions than demolition for the city's historic resources that have fallen into significant disrepair. She felt there were solutions found to be successful such as adaptive reuse ordinances as well as demolition ordinances. MS. LARIME believed there was no process which allows public comment or a public hearing on the demolition of the city's historic resources unless they are in a state of emergency. She opined a demolition permit could have weight on a building like the Mission Inn where a public hearing process would be required for a building of a certain age such as 50 years. She suggested the City review this to determine if it was an acceptable solution to saving some of the city's historic resources. As a preservation non-profit, the Nevada Preservation Foundation was happy to assist with research.

J.D. CALHOUN attends most City Council meetings and thought the Council was doing a good job. He complimented the Mayor on her facilitation of the meetings and acknowledged COUNCILMAN CREAR for what he has done for the community.

## **COUNCIL MEMBER RECOGNITION**

62. 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, FIORE, TARKANIAN and SEROKA announced the events taking place in their wards on various dates throughout the months of February and March. Some of the Councilmembers submitted flyers, which are attached as backup, regarding their events and points of interest.

The meeting was recessed at 10:15 a.m., reconvened at 10:21 a.m. and adjourned at 1:16 p.m.

Respectfully submitted:

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Ashley Foster, Deputy City Clerk

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LuAnn D. Holmes, MMC, City Clerk

THIS MEETING WAS 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